

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JUNE 21, 2004**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:03 p.m. on Monday, June 21, 2004, with President Boyd presiding.

Councillor Langsford led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

President Boyd instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty, Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillors Cockrum and Gray recognized former Councillor Phil Hinkle, now a State Representative. Councillor Gibson recognized former Councillor Elwood Black. Councillor Talley introduced Emma Jean Hines of the Lawrence Township Board. Councillor Cain recognized Deputy County Treasurer Monty Combs.

OFFICIAL COMMUNICATIONS

President Boyd said that earlier this week, a press conference was held dealing with a major announcement about a company that would now occupy most of the space of the former United Airlines maintenance hub. Melina Kennedy, Director of Economic Development, Mayor's Office, introduced Patrick Dooley, director of the Airport Authority. She said that a little over a

year ago, the City faced a great challenge when United Airlines declared bankruptcy and had to close their local maintenance hub facility. The facility is approximately 1.1 million usable square feet of space, and the state of the economy, particularly in the airline industry, posed a challenge in finding a new tenant. She said that they have found an outstanding anchor tenant for the facility, a company known as AAR Corporation, which is a maintenance, repair and overhaul provider for aircraft, and is headquartered in Illinois. They will occupy two of the twelve hangars initially, with the option to occupy as many as ten hangars, as the City continues to look for other leasing opportunities and marketing the job creation and growth to help secure other tenants. A job fair will be hosted on July 8 at the facility and the company is committing to at the minimum 800 jobs over a period of time.

Councillor Conley asked what the AAR in the corporation's name represents. Ms. Kennedy said that this is not an acronym and is simply the company's name. She said that they are a very well-known and well-respected company.

President Boyd asked Ms. Kennedy to explain the third-party maintenance concept. Ms. Kennedy said that as part of United Airlines' negotiation settlement, they were allowed to outsource 100% of their heavy maintenance and repair operations instead of doing them in-house, as was done before. This is why they were able to close their maintenance hub facility. The Airport Authority then needed to find another airline who needed a facility for in-house maintenance or a provider who does third-party outsourcing maintenance for airlines. There seems to be a trend in the industry for more outsourcing.

Councillor Abdullah asked if the majority of new jobs are entry level positions. Ms. Kennedy said that there is a wide range of job opportunities, and some may be entry level and many will be for skilled tradesmen. Mr. Dooley said that AAR Corporation has also expressed a desire to implement an apprentice program. President Boyd said that many people came to Indianapolis with United Airlines, and stayed in Indianapolis because they like it here. These individuals have been hoping that this kind of opportunity would come along so that they could put their skills back to work in a field where they are needed, yet can remain in Indianapolis.

Councillor Gray congratulated Ms. Kennedy and her team on this project, and stated that it is a positive step for economic development and to stimulate growth in that area. Ms. Kennedy acknowledged Lacy Johnson, Airport Board chairperson, and the entire board, as well as Mr. Dooley for all their efforts in making this happen.

Councillor McWhirter said that the United Airlines hub took a large chunk of the tax base out of the township, and she asked what type of incentives this organization has been given and what guarantees the City has that they will not run off with the jobs as United did. Ms. Kennedy said that the debt service will continue to be paid by the State and the City, whether the facility is open or not as part of the original deal. She said that the State provided a significant amount of incentives for this particular deal, in the form of cash toward modifications of the facility as well as tax credits. The City would put \$2 million toward the facility through a bond refinancing savings to help with modification. She said that the Airport Authority will also be putting in dollars for rent credits, as the tenant meets job obligations, as well as some mobilization costs.

Councillor Cockrum asked if the City is still required to maintain the unoccupied hangars and pay for that expense. Ms. Kennedy replied in the affirmative and said that the Airport Authority is still the legal lease holder for the facility, and while AAR Corporation has the option to increase to ten hangars, the Airport Authority has the right to market the space to other tenants while they

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are not occupied. President Boyd said that the space is humongous, and it would be difficult to find any other use to fill up the facility.

The President called for the reading of Official Communications from the Clerk. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, June 21, 2004, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Rozelle Boyd
President, City-County Council

June 8, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, June 9, 2004 and in the *Indianapolis Star* on Thursday, June 10, 2004, a copy of a Notice of Public Hearing on Proposal Nos. 299-301, 306-312, 314, and 315, 2004, said hearing to be held on Monday, June 21, 2004, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

June 18, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 63, 2004 - approves an increase of \$2,000,000 in the 2004 Budget of the Office of the City Controller (Consolidated County Fund and City Rainy Day Fund) to provide for a loan to the Indianapolis Public Transportation Corporation to allow IndyGo to cover 2004 expenses and to mitigate reductions in bus routes

FISCAL ORDINANCE NO. 64, 2004 - approves an increase of \$6,040 in the 2004 Budget of the Marion County Cooperative Extension Service (County Grants Fund) for purposes of funding summer youth programs, funded by Indianapolis Foundation and Lilly Endowment, Inc.

FISCAL ORDINANCE NO. 65, 2004 - approves an increase of \$40,621 in the 2004 Budget of the Department of Parks and Recreation (State Grants Fund) to pay for design and engineering for lighting, landscaping, trash receptacles, and other construction projects on the Guilford Street Bridge to the Monon Trail, financed by a state grant

FISCAL ORDINANCE NO. 66, 2004 - approves an increase of \$30,000 in the 2004 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to fund a public awareness initiative for the Indianapolis Kessler Park and Boulevard Plan, financed by a grant from the U.S. Department of the Interior

FISCAL ORDINANCE NO. 67, 2004 - approves an increase of \$20,950 in the 2004 Budget of the Department of Parks and Recreation (Non-Lapsing State Grants and Non-Lapsing Federal Grants Funds) to restore and protect a graminoid fen wetland community in Southwestway Park, to treat invasive species of

bush honeysuckle at Southwestway and Juan Solomon parks, and to pay for understory planting at Municipal Gardens park, financed by State and Federal grants

FISCAL ORDINANCE NO. 68, 2004 – approves an increase of \$399,580 in the 2004 Budget of the Department of Public Safety, Police Division (Federal Grants and Non-Lapsing Federal Grants Funds), to upgrade the mugshot system, purchase equipment for the bomb squad, pay for police officer overtime, and to provide use of force alternatives training, financed by federal grants and a transfer between characters

FISCAL ORDINANCE NO. 69, 2004 – approves a transfer and an increase of \$54,421 in the 2004 Budget of the Department of Public Safety, Fire Division (Federal Grants and Non-Lapsing Federal Grants Funds), to pay for expenses incurred by the Urban Search and Rescue Task Force while on deployment to assist in the aftermath of Hurricane Isabel, cover administrative costs incurred by the NASA deployment of the Urban Search and Rescue Task Force, and to cover anticipated expenditures for the team throughout this year, financed by a transfer between characters and a federal grant

FISCAL ORDINANCE NO. 73, 2004 – approves a transfer of \$50,472 in the 2003 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to complete the purchase of 101 acres of land adjacent to Southwestway Park and to purchase plant material for the Land Stewardship program at Marrott Park

FISCAL ORDINANCE NO. 74, 2004 – approves a transfer of \$162,833 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Federal Grants Fund), needed for equipment purchased as part of the Homeland Security Grant Program

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2004 - approves a transfer and appropriation of \$2,354,000 in the 2004 Budget of the Department of Public Safety, Police Division (Police General and Police Pension Funds), to cover 2003 back pay and other payroll and pension costs associated with the three year (2003-2005) collective bargaining agreement recently approved with the Fraternal Order of Police, financed by fund balances

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 2004 – approves an increase of \$161,000 in the 2004 Budget of the Department of Public Safety (State Law Enforcement Fund) to pay for salaries and benefits of the Marion County Prosecutor Forfeiture Unit as part of a Memorandum of Understanding (MOU) between the Indianapolis Police Department, Marion County Sheriff Department and the Marion County Prosecutor's Office

GENERAL ORDINANCE NO. 40, 2004 - establishes a local polling place advisory council to provide assistance in choosing polling places

GENERAL ORDINANCE NO. 41, 2004 - establishes the Central Indiana Regional Transportation Authority

GENERAL ORDINANCE NO. 42, 2004 - authorizes intersection controls for Timberlakes Subdivision, Section 2 (District 21)

GENERAL ORDINANCE NO. 43, 2004 - authorizes intersection controls for Bolton Avenue and New York Street (District 21)

GENERAL ORDINANCE NO. 44, 2004 - authorizes a one-way restriction on Layman Avenue between Washington Street and Lowell Avenue (District 21)

GENERAL ORDINANCE NO. 45, 2004 - authorizes a multi-way stop at the intersection of Butler and Fletcher Avenues (District 21)

GENERAL ORDINANCE NO. 46, 2004 - authorizes intersection controls for Cumberland Cove Subdivision (District 18)

SPECIAL RESOLUTION NO. 19, 2004 - recognizes the St. Vincent de Paul Society Days in Indianapolis, June 10-12, 2004

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of June 7, 2004. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 293, 2004. The proposal, sponsored by Councillors Boyd, Moriarty Adams, Sanders and Gray, recognizes the life and contributions of former Mayor John J. Barton. Councillor Moriarty Adams read the proposal and presented family members with copies of the document and Council pins. Councillors Boyd and Sanders spoke briefly regarding remembrances of Mayor Barton and his role in the history of this City and thanked the family for their support of his work and contributions. Councillor Moriarty Adams moved, seconded by Councillor Sanders for adoption. Proposal No. 293, 2004 was adopted by a unanimous voice vote.

Proposal No. 293, 2004 was retitled SPECIAL RESOLUTION NO. 20, 2004, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 2004

A SPECIAL RESOLUTION recognizing the life and contributions of former Mayor John J. Barton.

WHEREAS, John J. Barton, born in Indianapolis in 1906, was the fifth of 14 children born to Irish immigrants Patrick and Nora Prendergast Barton; and

WHEREAS, after graduating from Cathedral High School in Indianapolis, John went on to earn a Bachelor's Degree in mechanical engineering from Purdue University, where he was elected president of his fraternity, Phi Kappa Theta; and

WHEREAS, after positions with Indianapolis Power and Light and Babcock & Wilcox Boiler, John became part of the first graduating class of the Indiana State Police and the first state trooper to hold a college degree; and

WHEREAS, John served his country as an intelligence officer in the United States Navy during World War II, earning the rank of Lieutenant Commander; and

WHEREAS, John resumed his position with the Indiana State Police after the war, retiring at the age of 57, after which he was appointed to serve as superintendent of the Indiana State Police; and

WHEREAS, elected Mayor of the City of Indianapolis in 1963, Barton was the last Democrat to serve as Mayor until Bart Peterson was elected in 1999; and

WHEREAS, Mayor Barton laid the groundwork for the Indiana Convention Center, Eagle Creek Reservoir and Park, and the Indiana National Bank tower (now One Indiana Square), as well as creating the Greater Indianapolis Progress Committee, a public-private partnership which helped revitalize Downtown; and

WHEREAS, after his tenure as Mayor, Barton went on to serve the community for 21 years on the Indiana Parole Board, and after 50 years of public service was recognized with such distinguished awards as the Indianapolis Star's "Man of the Year" in 1989, the Silver Anniversary Community Action Award, multiple Sagamore of the Wabash awards, and an appointment in the Honorable Order of Kentucky Colonels; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the life and many contributions of former Mayor John J. Barton, whose legacy lives on.

SECTION 2. The Council extends its sympathy to sister Veronica Barton, daughters Mary Ellen Boyd and Peggy Weaver, and surviving grandchildren, nieces, and nephews while recognizing the legacy Mayor Barton left to this great City.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 363, 2004. The proposal, sponsored by Councillor Talley, recognizes Grand Worthy Matron Melody Moore of the Prince Hall Grand Chapter Order of Eastern Star. Councillor Talley read the proposal and presented copies of the document and Council pins to representatives. Emma Jean Hines introduced Melody Moore, Grand Worthy Matron, who thanked the Council for the recognition. Councillor Talley moved, seconded by Councillor Mahern, for adoption. Proposal No. 363, 2004 was adopted by a unanimous voice vote.

Proposal No. 363, 2004 was retitled SPECIAL RESOLUTION NO. 21, 2004, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 2004

A SPECIAL RESOLUTION recognizing Grand Worthy Matron Melody Moore of the Prince Hall Grand Chapter Order of Eastern Star.

WHEREAS, The Order of the Eastern Star is a social and charitable fraternal organization with strong spiritual values dedicated to charity, truth and loving kindness; and

WHEREAS, under the direction of Sister Melody Moore, Grand Worthy Matron, the Prince Hall Grand Chapter Order of the Eastern Star will host the 116th Annual Communication; and

WHEREAS, Sister Moore is the 50th Grand Worthy Matron to serve the Prince Hall Affiliated Jurisdiction of Indiana; and

WHEREAS, Sister Moore has served Amaranth Chapter #35 in Indianapolis well, and it is a testament to her leadership that the Chapter was chosen to host the annual conference; and

WHEREAS, the 116th Annual Communication, under the direction of Grand Worthy Matron Moore, will be held at the Marriott Hotel in Indianapolis on July 23, 2004; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the work and dedication of Sister Melody Moore, Grand Worthy Matron of the Prince Hall Grand Chapter Order of Eastern Star.

SECTION 2. The Council extends its wishes for a successful 116th Annual Communication, as well as future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 298, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 298, 2004 on June 14, 2004. The proposal, sponsored by Councillors Talley, Boyd, Gray, Sanders, Brown and Franklin, appoints Carl Drummer to the Ft. Benjamin Harrison Reuse Authority. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Talley moved, seconded by Councillor Nytes, for adoption. Proposal No. 298, 2004 was adopted by a unanimous voice vote.

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Proposal No. 298, 2004 was retitled COUNCIL RESOLUTION NO. 58, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 58, 2004

A COUNCIL RESOLUTION appointing Carl Drummer to the Ft. Benjamin Harrison Reuse Authority.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Ft. Benjamin Harrison Reuse Authority, the Council appoints:

Carl Drummer

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

PROPOSAL NO. 313, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 313, 2004 on June 17, 2004. The proposal, sponsored by Councillors Conley, Boyd, Gray and Sanders, appoints Amy Marks Callahan to the Air Pollution Control Board. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 313, 2004 was adopted by a unanimous voice vote.

Proposal No. 313, 2004 was retitled COUNCIL RESOLUTION NO. 59, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 2004

A COUNCIL RESOLUTION appointing Amy Marks Callahan to the Air Pollution Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Air Pollution Control Board, the Council appoints:

Amy Marks Callahan

SECTION 2. The appointment made by this resolution is for a term ending June 4, 2006. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

PROPOSAL NO. 362, 2004. The proposal, sponsored by Councillors Boyd, Gray and Sanders, reappoints Olga Villa Parra to the Board of Ethics. Councillor Gray moved, seconded by Councillor Gibson, for adoption.

Councillor Cockrum asked why this resolution was not sent through Committee as is the normal process of this body. President Boyd stated that this is a reappointment and Ms. Villa Parra has been serving on this board for several years and it was felt that this is a person who is well-known and has been through the process before. Councillor Cockrum said that even reappointments usually appear before Committee and he asked if there is a time-sensitive issue that would preclude this from that normal hearing process. Councillor Bradford said that there may be times when even a reappointment should come before a committee to just help inform the committee about the work they are doing on the particular board. He said that if there is no time-sensitive issue, he would like to see the proposal sent back to committee.

President Boyd asked if there is a peculiar circumstance that warrants that this proposal not be referred to Committee. A. Scott Chinn, Corporation Counsel, said that he serves as the secretary to the Ethics Board, and the statements of economic interest that employees file are sitting before the board waiting for review. That review process begins this Friday, and it would be helpful to have a full board to review. Councillor Bradford asked why this appointment was not filed at the beginning of the year, so that they would not now be in this time-sensitive situation. Mr. Chinn said that he does not know why it was not filed earlier. Councillor Bradford asked if Ms. Villa Parra does not continue to serve until a successor is named. Mr. Chinn said that there are some appointments that work that way, but there is a 60-day clause attached to this appointment so that her appointment actually expires. Councillor Bradford asked if Ms. Villa Parra is present and if she can introduce herself to the members of the Council. He said that in the future, he would prefer that all appointments and reappointments go through the normal Committee process. Ms. Villa Parra introduced herself to the Council and stated that she was reappointed to fulfill another term. She is retired from Lilly Endowment, and now volunteers full-time with community organizations. Councillor Bradford asked how long Ms. Villa Parra has served on this board. Ms. Villa Parra said that she has been on the board for approximately three and a half years.

Proposal No. 362, 2004 was adopted by a unanimous voice vote.

Proposal No. 362, 2004 was retitled COUNCIL RESOLUTION NO. 60, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 2004

A COUNCIL RESOLUTION reappointing Olga Villa Parra to the Board of Ethics.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Ethics, the Council reappoints:

Olga Villa Parra

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 346, 2004. Introduced by Councillors Gray, Talley, Gibson, Mahern and Keller. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes the issuance of special taxing district bonds and notes in the amount of \$60,000,000 for the Metropolitan Development Commission to purchase property commonly known as Capital Commons for the development of Simon Property Group's global headquarters"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 347, 2004. Introduced by Councillors Keller, Gray, Talley, Gibson and Mahern. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the issuance of Economic Development Revenue bonds in a principal amount not to exceed \$20,000,000 to fund the Metropolitan Development Commission's purchase of property commonly known as Capital Commons and redevelopment of the below ground parking garage"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 348, 2004. Introduced by Councillors Nytes and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves and confirms the Mayor's appointment of a hearing officer to preside over the administrative adjudication of parking citations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 349, 2004. Introduced by Councillors Sanders, Nytes, Gray, Brown, Plowman and Keller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the AUL deferred compensation plan to permit employees to transfer funds between the deferred compensation plans sponsored by the City and to add an employee's attainment of age 70 1/2 as an event allowing benefit payment"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 350, 2004. Introduced by Councillors Moriarty Adams, Talley and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer and increase of \$24,810 in the 2004 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Funds), to fund regional training on domestic violence conducted by the Julian Center and to fund Weed and Seed initiatives determined after the budget process, financed by a transfer between characters and a grant from the Federal Department of Justice"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 351, 2004. Introduced by Councillors Moriarty Adams and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$312,761 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants Fund), to purchase National Institute for Occupational Safety & Health (NIOSH) certified air purifying respirators and chemical warfare canisters and to fund additional needs of the Community Emergency Response Team (CERT) program, financed by grants from the Federal Department of Homeland Security and the Federal Emergency Management Agency (FEMA)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 352, 2004. Introduced by Councillors Moriarty Adams, Talley and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$3,200 in the 2004 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund), to pay for the design and installation of billboard advertisements promoting the Canine Crime Stoppers program, financed by private donations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 353, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$2,450 in the 2004 Budget of Marion County Superior Court (State and Federal Grants Fund) to provide security services to the court extended to June 30, 2004, funded by a grant from Southeast Umbrella Organization"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 354, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$10,000 in the 2004 Budget of Marion County Superior Court (State and Federal Grants Fund) to appropriate a grant for court interpreter services, funded by a grant from Division of State Court Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 355, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$25,000 in the 2004

Budget of Marion County Superior Court (State and Federal Grants Fund) to provide a community work services coordinator for Community Court, funded by a grant from Department of Justice, Southeast Umbrella Organization "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 356, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$52,500 in the 2004 Budget of the Marion County Superior Court (State and Federal Grants Fund) to transfer Character 01 money to Character 02 and 03, to cover additional programming and operating expenses at the Community Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 357, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$496,380 in the 2004 Budget of Marion County Superior Court (State and Federal Grants Fund) to appropriate Young Offenders grant for salaries and contractual attorneys for the Expedited Court, funded by a grant from U.S. Department of Justice, Edward Byrne Memorial Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 358, 2004. Introduced by Councillors Conley, Cain, Franklin and Talley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which authorizes the Director of the Department of Public Works to amend an agreement with the City of Lawrence for wastewater treatment and disposal services"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 359, 2004. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking restrictions for Meadows Drive between 38th Street and 42nd Street (District 4)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 360, 2004. Introduced by Councillor Abdullah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Hudson Street from Allegheny Street to Walnut Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 361, 2004. Introduced by Councillor Mansfield. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at 64th Street and Springmill Road (District 2)"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 344, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 344, 2004 on June 14, 2004. The proposal, sponsored by Councillor Talley, is a special resolution amending the inducement resolution for TR Associates, LLC in an amount not to exceed \$6,600,000 which consists of the acquisition and substantial rehabilitation of the existing 284-unit Timber Ridge Apartments, 4005 Meadows Drive (District 4). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

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Councillor Moriarty Adams stated that she will abstain from voting due to the appearance of a conflict of interest with her employment.

Councillor Talley moved, seconded by Councillor Gibson, for adoption. Proposal No. 344, 2004 was adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Talley
1 NAY: Keller
2 NOT VOTING: Moriarty Adams, Speedy

Proposal No. 344, 2004 was retitled SPECIAL RESOLUTION NO. 22, 2004, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 2004

A SPECIAL RESOLUTION amending City-County Special Resolution No. 76, 2003, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bounds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company; and

WHEREAS, City-County Special Resolution No. 76, 2003 (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana (the "City-County Council") concerning certain proposed economic development facilities to be developed by TR Associates, LLC, or its assigns (the "Company") which resolution set an expiration date of July 31, 2004 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the City-County Council of the City prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, an Ordinance has not yet been adopted authorizing the issuance of such bonds and such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, however, the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of July 31, 2004, contained therein and replacing said date with the date of December 31, 2004.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 345, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 345, 2004 on June 14, 2004. The proposal, sponsored by Councillor Talley, is a special resolution amending the inducement resolution for Phoenix Apartments (to be renamed "Avondale Village") in an amount not to exceed \$12,000,000 which consists of the acquisition and rehabilitation of an existing 328-unit apartment complex on an

approximately 10.31 acre parcel of land, 4004 Meadows Drive (District 4). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams said that she will again abstain to avoid the appearance of a conflict of interest.

Councillor Talley moved, seconded by Councillor Gibson, for adoption. Proposal No. 345, 2004 was adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Talley

1 NAY: Keller

2 NOT VOTING: Moriarty Adams, Speedy

Proposal No. 345, 2004 was retitled SPECIAL RESOLUTION NO. 23, 2004, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 2004

A SPECIAL RESOLUTION amending City-County Special Resolution No. 24, 2003, and City-County Special Resolution No. 81, 2003 approving and authorizing certain actions and proceedings with respect to certain proposed economic development bounds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company; and

WHEREAS, City-County Special Resolution No. 24, 2003 (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana (the "City-County Council") concerning certain proposed economic development facilities to be developed by a to be formed limited partnership which is affiliated with the Winn Companies to be named either Phoenix Limited Partnership or Avondale Village Limited Partnership, or its assigns (the "Company") which resolution set an expiration date of December 31, 2003 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the City-County Council of the City prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, City-County Special Resolution No. 81, 2003 (the "First Extension") has been previously adopted by the City-County Council extending the expiration date of the Inducement Resolution to July 31, 2004; and

WHEREAS, an Ordinance has not yet been adopted authorizing the issuance of such bonds and such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, however, the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of July 31, 2004, contained therein and replacing said date with the date of December 31, 2004.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

June 21, 2004

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 364, 2004, PROPOSAL NOS. 365-373, 2004, and PROPOSAL NO. 374, 2004. Introduced by Councillor Talley. Proposal No. 364, 2004, Proposal Nos. 365-373, 2004, and Proposal No. 374, 2004 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 11, 14, and 15, 2004. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 80-90, 2004, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 80, 2004.

2003-ZON-850

7625, 7633 and 7675 MICHIGAN ROAD (approximate address) INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #2

JAMES EDWARD WHITEN requests a rezoning of one acre, being in the D-6 District, to the CS classification.

REZONING ORDINANCE NO. 81, 2004.

2004-ZON-013

82-120 NORTH LYNHURST DRIVE (approximate addresses), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #14

MCCURDY MANAGEMENT LLC, by Ray Good, requests a rezoning of 4.77 acres, being in the C-4 and D-3 Districts, to the C-S classification to legally establish a 19,200-square foot wholesale electrical supply store and provide for a 30,480-square foot addition to the existing electrical supply store, and provide for the continued use of a single-family dwelling at 82 North Lynhurst Drive as a single-family dwelling.

REZONING ORDINANCE NO. 82, 2004.

2004-ZON-018

1319 WEST EDGEWOOD AVENUE and 6201 SOUTH HARDING STREET (approximate addresses), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #22

METROPOLITAN SCHOOL DISTRICT OF PERRY TOWNSHIP, by Louis H. Borgmann, requests a rezoning of 10.730 acres, being in the D-A (FF) (FW), C-S (FF) (W-1) and I-1-S (FF) (W-1) Districts, to the C-S (FF) (W-1) classification to provide for an expansion and additional parking for an existing school bus maintenance and storage facility.

REZONING ORDINANCE NO. 83, 2004.

2004-ZON-023

6617 and 6691 EAST WASHINGTON STREET (approximate addresses) INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #21

IRVINGTON COMMUNITY SCHOOL requests a rezoning of 3.861 acres, being in the D-5 and C-4 Districts, to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 84, 2004.

2004-ZON-033

701 KING AVENUE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #15

NEW DIRECTION WORSHIP CENTER, INCORPORATED requests a rezoning of 0.39 acre, being in the D-5 District, to the SU-1 classification to legally establish religious uses.

REZONING ORDINANCE NO. 85, 2004.

2004-ZON-035

5428 SOUTH EAST STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #23

MARTIN MCDERMOTT, by Mitch Sever, requests a rezoning of one acre, being in the D-A District, to the C-4 classification to provide for the expansion of a furniture store.

REZONING ORDINANCE NO. 86, 2004.

2004-ZON-036

6240 WEST 34TH STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #7

JOHN A. NOVOSAD, by Stephen D. Mears, requests a rezoning of 0.32 acre, being in the D-4 District to, the C-3 classification to legally establish neighborhood commercial uses.

REZONING ORDINANCE NO. 87, 2004.

2004-ZON-037

1633 REMBRANDT STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #15

DANIEL J. HERBERTZ requests a rezoning of 0.13 acre, being in the D-5 (W-1) District, to the I-3-U (W-1) classification to provide for a construction contractor's office.

REZONING ORDINANCE NO. 88, 2004.

2004-ZON-038

2334 EAST COUNTY LINE ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #24

CITIZENS BANK OF MOORESVILLE, by Michael J. Kias, request a rezoning of 1.696 acre, being in the C-3 District, to the C-4 classification to provide for commercial uses.

REZONING ORDINANCE NO. 89, 2004.

2004-ZON-814

570 WEST 16TH STREET and 1625 and 1640 ALANZO WATFORD SENIOR DRIVE (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #15

INDIANA STATE OFFICE BUILDING COMMISSION, by Eugene Valanzano, request a rezoning of 7.902 acres, being in the I-4-U (W-1) District, to the SU-9 (W-1) classification to provide for a police crime and toxicology laboratory.

REZONING ORDINANCE NO. 90, 2004.

2004-ZON-008

2409-2427 WEST WASHINGTON STREET (approximate address) INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #19

TULSEY DINDIYAL, by Guy G. Kibbe, requests a rezoning of 0.588 acre, being in the C-4 District, to the C-5 classification to provide for an automobile dealership.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 299, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 299, 2004 on June 14, 2004. The proposal, sponsored by Councillors Talley, Abdullah, Speedy, Randolph, Nytes, Keller, Pfisterer, Mansfield, Brown, Moriarty Adams and Mahern, approves an increase of \$400,000 in the 2004 Budget of the Department of Metropolitan Development, Division of Administration, (State Grants Fund) to assist the Indiana Centers for Applied Protein Sciences (INCAPS) with the purchase of scientific equipment to be used by up to 260 new high tech employees, financed by a grant from the Indiana State Department of Commerce. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:02 p.m.

Reverend Pamela Pinkney asked what the meaning of 260 new high-tech employees is. Councillor Talley said that these will be new open positions for skilled employees with salaries ranging between \$95,000 to \$100,000. Rev. Pinkney asked if the public will be allowed to know who these employees are and how they are selected. Councillor Talley said that the company will hire these individuals through their normal hiring process like any other company.

Councillor Schneider asked if INCAPS is a private company. Rick Ludwig, president and chief executive officer of INCAPS, said that INCAPS is a for-profit, limited liability corporation with six member organizations who are owners of the corporation. The company has been incorporated since January but is now modifying its status to include the six members, which are all Indiana organizations. Councillor Schneider asked if there is any portion of the \$400,000 which comes from the City of Indianapolis. Councillor Talley said that these are State grant funds and are not City funds.

There being no further testimony, Councillor Talley moved, seconded by Councillor Nytes, for adoption. Proposal No. 299, 2004 was adopted on the following roll call vote; viz:

28 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Talley

0 NAYS:

1 NOT VOTING: Speedy

Proposal No. 299, 2004 was retitled FISCAL ORDINANCE NO. 75, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Four Hundred Thousand Dollars (\$400,000) in the State Grants Fund for purposes of the Department of Metropolitan Development, Division of Administration, and reducing the unappropriated and unencumbered balance in the State Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(i) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Division of Administration, to assist the Indiana Centers for Applied Protein Sciences (INCAPS) with the purchase of scientific equipment to be used by up to 260 new high tech employees, financed by a grant from the Indiana State Department of Commerce.

SECTION 2. The sum of Four Hundred Thousand Dollars (\$400,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT

DIVISION OF ADMINISTRATION

3. Other Services and Charges

TOTAL INCREASE

STATE GRANTS FUND

400,000

400,000

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE GRANTS FUND

Unappropriated and Unencumbered

State Grants Fund

TOTAL REDUCTION

400,000

400,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 300, 2004. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 300, 2004 on June 10, 2004. The proposal, sponsored by Councillors Gray, Cockrum, Pfisterer and Mahern, approves an increase of \$24,847 in the 2004 Budget of the Department of Parks and Recreation (Non-Lapsing State Grants Fund) to restore two basketball courts at Haughville Park and install a new parking lot at Marott Park by using asphalt mixed with waste tires, financed by a grant from the Indiana Department of Environmental Management. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:05 p.m.

Rev. Pinkney thanked the Council for addressing some of the parks and recreation needs in the Haughville area.

Councillor Pfisterer commended the Parks Department for their creativity in seeking a program that mixes asphalt with waste tires, and she hopes it is successful.

There being no further testimony, Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal No. 300, 2004 was adopted on the following roll call vote; viz:

27 YEAS: Abdullah, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley
0 NAYS:
2 NOT VOTING: Borst, Mansfield

Proposal No. 300, 2004 was retitled FISCAL ORDINANCE NO. 76, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Twenty-four Thousand Eight Hundred and Forty-seven Dollars (\$24,847) in the Non-Lapsing State Grants Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Non-Lapsing State Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to restore two basketball courts at Haughville Park and install a new parking lot at Marott Park by using asphalt mixed with waste tires, financed by a grant from the Indiana Department of Environmental Management.

SECTION 2. The sum of Twenty-four Thousand Eight Hundred and Forty-seven Dollars (\$24,847) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON-LAPSING STATE GRANTS FUND</u>
4. Capital Outlay	<u>24,847</u>
TOTAL INCREASE	24,847

June 21, 2004

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>NON-LAPSING STATE GRANTS FUND</u>	
Unappropriated and Unencumbered	
Non-Lapsing State Grants Fund	<u>24,847</u>
TOTAL REDUCTION	<u>24,847</u>

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 301, 2004. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 301, 2004 on June 10, 2004. The proposal, sponsored by Councillors Gray, Cockrum and Mahern, approves an increase of \$34,998 in the 2004 Budget of the Department of Parks and Recreation (Federal Grants and Park General Funds) to continue the after school programs for Raymond Park Middle and Liberty Park Elementary schools, as well as to pay for health and fitness activities and instruction for youth after school programs in Indy parks, financed by a federal grant and the Lilly Endowment interest earnings. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:08 p.m.

Rev. Pinkney said that there are Lilly Endowment interest earnings being used for this proposal, and she asked how the faith-based community is involved in this activity that is taking place. Councillor Gray said that he regrets Rev. Pinkney was not able to attend the last committee hearing because the committee did talk about extensive programs within parks initiatives that are connected with the faith-based community. He said that he can provide a list for Rev. Pinkney of these types of partnerships.

Councillor Schneider asked the amount of the Lilly Endowment portion of the grant versus the federal grant amount. Councillor Gray said that he does not have this number in front of him but can get it to him.

There being no further testimony, Councillor Gray moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 301, 2004 was adopted on the following roll call vote; viz:

28 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Speedy, Talley*
0 NAYS:
1 NOT VOTING: *Schneider*

Proposal No. 301, 2004 was retitled FISCAL ORDINANCE NO. 77, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Thirty-four Thousand Nine Hundred Ninety-eight

Dollars (\$34,998) in the Park General and Federal Grants Funds for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to continue the after school programs for the children in Raymond Park Middle and Liberty Park Elementary schools, as well as to pay for health and fitness activities and instruction for youth after school programs in Indy parks, financed by a federal grant and the Lilly Endowment interest earnings.

SECTION 2. The sum of Thirty-four Thousand Nine Hundred Ninety-eight Dollars (\$34,998) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
2. Supplies	4,000
3. Other Services and Charges	<u>26,418</u>
TOTAL INCREASE	30,418

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>4,580</u>
TOTAL INCREASE	4,580

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered Park General Fund	<u>30,418</u>
TOTAL REDUCTION	30,418

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Federal Grants Fund	<u>4,580</u>
TOTAL REDUCTION	4,580

SECTION 5. The projected December 31, 2004, fund balance for the Park General Fund is as follows:

Estimated cash balance as of January 1, 2004	11,670,163
Estimated revenues 2004 (not including this proposal)	24,925,641
Additional revenues associated with this proposal	<u>30,418</u>
Projected funds available	36,626,222
2004 appropriations (original 2004 budget)	25,403,819
2004 carryover appropriations (prior year encumbrances)	6,302,142
Additional 2004 appropriations previously approved	3,251,034
Proposed additional appropriation	<u>30,418</u>
Total Requirements	34,987,413
Projected fund balance December 31, 2004	1,638,809

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

June 21, 2004

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 307-312, 2004 on June 9, 2004. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 307, 2004. The proposal, sponsored by Councillors McWhirter and Keller, approves an increase of \$57,300 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to provide continued funding for a deputy prosecutor and part time investigator/victim advocate for the joint project, Regional Gang Interdiction Program, funded by a grant from Bryne Memorial Funds awarded through Indiana Criminal Justice Institute. PROPOSAL NO. 308, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$200,000 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to fund the budget of the Child Advocacy Center, funded by a grant from Family and Social Services Administration. PROPOSAL NO. 309, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$218,070 in the 2004 Budget of Community Corrections (State and Federal Grants Fund) to fund a Juvenile Court Intensive Probation Services Program for fiscal year 2004/2005, funded by a grant from the Department of Corrections. PROPOSAL NO. 310, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$946,254 in the 2004 Budget of Community Corrections (Home Detention User Fee Fund) to fund the first six months (fiscal year 2004/2005) of the Home Detention Program. PROPOSAL NO. 311, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$2,873,086 in the 2004 Budget of Marion County Community Corrections (State and Federal Grants) to appropriate the continuation of the annual Department of Corrections Grant for fiscal year 2004/2005, funded by a grant from the Department of Corrections. PROPOSAL NO. 312, 2004. The proposal, sponsored by Councillor McWhirter, approves an increase of \$35,830 in the 2004 Budget of the Marion Superior Court, Juvenile Division, (State and Federal Grants Fund) to hire a part-time commissioner to address the backlog of Termination of Parental Rights (TPR) cases, funded by a grant from the Indiana Supreme Court, Court Improvement Program. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Boyd called for public testimony at 8:21 p.m.

Rev. Pinkney said that money is being allocated to programs to aid in tearing families apart, and this should not be happening. She added that she continues to be harassed by police officers whenever she leaves a meeting, and has been surrounded by officers in this building and not allowed into the Council office or Mayor's Action Center. President Boyd said that public testimony should be addressed to a specific proposal. Rev. Pinkney said that these proposals are allocating money for a corrupt system, where officers do not respect the right of citizens to speak their mind and receive justice.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal Nos. 307-312, 2004 were adopted on the following roll call vote; viz:

23 YEAS: Abdullallah, Borst, Bowes, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Sanders, Schneider, Speedy, Talley

0 NAYS:

6 NOT VOTING: Boyd, Bradford, Gray, Keller, Langsford, Salisbury

Proposal No. 307, 2004 was retitled FISCAL ORDINANCE NO. 78, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114 2003) appropriating an additional Fifty-seven Thousand Three Hundred Dollars (\$57,300) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to provide funding for a deputy prosecutor and part time investigator/victim advocate for the joint project, Regional Gang Interdiction Program.

SECTION 2. The sum of Fifty-seven Thousand Three Hundred Dollars (\$57,300) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	40,110
Fringes	17,190
TOTAL INCREASE	57,300

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	57,300
TOTAL REDUCTION	57,300

SECTION 5. No match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 308, 2004 was retitled FISCAL ORDINANCE NO. 79, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to fund the budget of the Child Advocacy Center.

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SECTION 2. The sum of Two Hundred Thousand Dollars (\$200,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	92,500
Fringes	30,747
2. Supplies	6,000
3. Other Services and Charges	64,339
4. Capital Outlay	<u>6,414</u>
TOTAL INCREASE	200,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>200,000</u>
TOTAL REDUCTION	200,000

SECTION 5. No local match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 309, 2004 was retitled FISCAL ORDINANCE NO. 80, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Two Hundred Eighteen Thousand Seventy Dollars (\$218,070) in the State and Federal Grants Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of Community Corrections to fund a Juvenile Court Intensive Probation Services Program for fiscal year 2004/2005.

SECTION 2. The sum of Two Hundred Eighteen Thousand Seventy Dollars (\$218,070) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	166,268
Fringes 41,566	
3. Other Charges and Services	<u>10,236</u>
TOTAL INCREASE	218,070

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>218,070</u>
TOTAL REDUCTION	218,070

SECTION 5. No local match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 310, 2004 was retitled FISCAL ORDINANCE NO. 81, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 81, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Nine Hundred Forty-six Thousand Two Hundred Fifty-four Dollars (\$946,254) in the Home Detention User Fee Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of Community Corrections to fund the first six months (FY 04/05) of the Home Detention program.

SECTION 2. The sum of additional Nine Hundred Forty-six Thousand Two Hundred Fifty-four Dollars (\$946,254) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services	434,409
Fringes	127,196
2. Supplies	20,500
3. Other Charges and Services	323,210
4. Capital Outlay	<u>40,939</u>
TOTAL INCREASE	946,254

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>946,254</u>
TOTAL REDUCTION	946,254

SECTION 5: The projected June 31, 2005, fund balance for the User Fee Fund is as follows:

Current cash balance (4/30/04)	1,369,132
Anticipated additional revenue through December 31, 2004	1,768,876
Anticipated revenue through June 31, 2005	<u>1,326,654</u>
Projected funds available	4,464,662

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Remaining appropriations and encumbrances	949,282
Proposed additional appropriation	946,254
Total funds needed	<u>1,895,536</u>
Projected fund balance June 31, 2005	2,569,126

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 311, 2004 was retitled FISCAL ORDINANCE NO. 82, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Two Million Eight Hundred Seventy-three Thousand Eighty-six Dollars (\$2,873,086) in the State and Federal Grants Fund for purposes of Marion County Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of Marion County Community Corrections to appropriate the continuation of the annual Department of Corrections Grant for fiscal year 2004/2005.

SECTION 2. The sum of Two Million Eight Hundred Seventy-three Thousand Eighty-six Dollars (\$2,873,086) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	696,155
Fringes	204,660
2. Supplies	22,661
3. Other Charges and Services	<u>1,949,610</u>
TOTAL INCREASE	2,873,086

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>2,873,086</u>
TOTAL REDUCTION	2,873,086

SECTION 5. No local match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 312, 2004 was retitled FISCAL ORDINANCE NO. 83, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 83, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Thirty-five Thousand Eight Hundred Thirty Dollars (\$35,830) in the State and Federal Grants Fund for purposes of the Marion Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court, Juvenile Division, to hire a part-time Commissioner to address the backlog of Termination of Parental Rights cases.

SECTION 2. The sum of Thirty-five Thousand Eight Hundred Thirty Dollars (\$35,830) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT, JUVENILE DIVISION</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	26,730
Fringes	<u>9,100</u>
TOTAL INCREASE	35,830

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>35,830</u>
TOTAL REDUCTION	35,830

SECTION 5. The local match of \$11,410 is funded by the following existing appropriation in the Marion Superior Court, Juvenile Division:

	<u>COUNTY GENERAL FUND</u>
Existing appropriation for the Marion Superior Court, Juvenile Division	
3. Other Services and Charges	<u>11,410</u>
TOTAL MATCH	11,410

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 314, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 314, 2004 on June 17, 2004. The proposal, sponsored by Councillors Gibson, Nytes, Keller, Brown and Mahern, approves an increase of \$183,960 in the 2004 Budget of the Department of Public Works, Policy and Planning Division, (State Grants Fund) to pay IndyGo the remaining portion of their grant funding and to pay for a transit study, financed by the Public Mass Transit Funds (PMTF) passed through the State. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:24 p.m.

Rev. Pinkney thanked the Council for addressing the needs for IndyGo and said that this study will benefit ridership.

Councillor Gibson thanked the Department of Public Works and the Mayor's Office for helping to fund the study.

There being no further testimony, Councillor Conley moved, seconded by Councillor Nytes, for adoption. Proposal No. 314, 2004 was adopted on the following roll call vote; viz:

29 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*
0 NAYS:
0 NOT VOTING:

Proposal No. 314, 2004 was retitled FISCAL ORDINANCE NO. 84, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 84, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional One Hundred Eighty-three Thousand Nine Hundred Sixty Dollars (\$183,960) in the State Grants Fund for purposes of the Department of Public Works, Policy and Planning Division, and reducing the unappropriated and unencumbered balance in the State Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Policy and Planning Division to pay IndyGo the remaining portions of their grant funding and to pay for a transit study, financed by the Public Mass Transit Funds (PMTF) passed through by the State.

SECTION 2. The sum of One Hundred Eighty-three Thousand Nine Hundred Sixty Dollars (\$183,960) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS
DIVISION OF POLICY & PLANNING

3. Other Services and Charges
TOTAL INCREASE

STATE GRANTS FUND

183,960
183,960

The said additional appropriation is funded by the following reductions:

STATE GRANTS FUND

Unappropriated and Unencumbered
State Grants Fund
TOTAL REDUCTION

183,960
183,960

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 315, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 315, 2004 on June 17, 2004. The proposal, sponsored by Councillors Conley and Speedy, approves an increase of \$96,416 in the 2004 Budget of the Department of Public Works, Policy and Planning Division, (Non-Lapsing State of Indiana Grants Fund) to purchase a waste oil system, supplies, and a storage unit to aid in the disposal of hazardous waste financed by a grant from the Indiana Department of Environmental Management. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:27 p.m.

Rev. Pinkney asked that any gathered information be made available to the faith-based community.

There being no further testimony, Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 315, 2004 was adopted on the following roll call vote; viz:

Proposal No. 315, 2004 was retitled FISCAL ORDINANCE NO. 85, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 85, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Ninety-six Thousand Four Hundred Sixteen Dollars (\$96,416) in the Non-Lapsing State of Indiana Grants Fund for purposes of the Department of Public Works, Policy and Planning Division, and reducing the unappropriated and unencumbered balance in the State of Indiana Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Policy and Planning Division, to purchase a waste oil system, supplies, and a storage unit to aid in the disposal of hazardous waste financed by a grant from the Indiana Department of Environmental Management.

SECTION 2. The sum of Ninety-six Thousand Four Hundred Sixteen Dollars (\$96,416) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>POLICY AND PLANNING DIVISION</u>	<u>NON-LAPSING STATE OF INDIANA GRANTS FUND</u>
3. Other Services and Charges	78,514
4. Capital Outlay	<u>17,902</u>
TOTAL INCREASE	96,416

The said additional appropriation is funded by the following reductions:

	<u>NON-LAPSING STATE OF INDIANA GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing State of Indiana Grants Fund	<u>96,416</u>
TOTAL REDUCTION	96,416

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 250, 2004. Councillor Sanders reported on behalf of Chairman Boyd that the Rules and Public Policy Committee heard Proposal No. 250, 2004 on June 8, 2004. The proposal, sponsored by Councillors Talley, Nytes, Mansfield, Brown and Oliver, establishes the procedures and requirements for execution of city and county contracts, to establish an official repository and database for such contracts and to clarify the authority of the corporation counsel regarding contracts for independent legal counsel. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Borst made the following motion:

Mr. President:

To clarify the prerogatives of the Prosecuting Attorney to perform his statutory duties without interference by the City, I move to amend Proposal No. 250, 2004 as follows:

In Section 1, Subsection (b) of Sec. 141-101, in the final sentence, strike the words "core prosecution", and substitute the word "prosecutorial."

In Section 4, Sec. 202-205, strike the words "core prosecution" and insert in lieu thereof the word "prosecutorial."

In Section 6, paragraph (8) of Sec. 202-103, at the end of the paragraph, strike the words "or to the prosecution of a criminal" and insert in lieu thereof the words "nor to contracts by the prosecuting attorney for services to be rendered in the prosecution of a criminal matter."

Councillor Schneider seconded the motion.

President Boyd asked that each Section of the amendment be voted on separately. The motion to amend Section 1, Subsection (b) failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abduallah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

The motion to amend Section 4, Sec. 202-205 failed on the following roll call vote, viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abduallah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

The motion to amend Section 6, paragraph (8) failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abduallah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

Councillor Plowman said that it seems the Prosecutor would know best how this proposal affects his ability to do his job. He said that he would hope the Council would weigh the issue and vote on the merits and not just along party lines.

Councillor Schneider asked why this is not considered a friendly amendment to simply clarify the Prosecutor's abilities to use outside contracts to prosecute criminal cases. Councillor Talley said that the amendments made by Corporation Counsel addressed these outstanding issues and the Courts have agreed to the changes. He said that he thinks it is inappropriate for the Prosecutor's Office to offer a change to something to which the Courts have agreed.

Councillor Franklin asked Corporation Counsel to speak to the Council regarding the Prosecutor's Office being in agreement with the amended version of the proposal. Mr. Chinn said that the amended version of the proposal that came out of committee addressed the Prosecutor's concern that their criminal law enforcement power was exempted from the requirements of this ordinance.

Councillor Cockrum said that there seems to be a different situation with regards to the Courts and the Prosecutor's Office. He said that the amendments addressed the Courts' concerns, but just because they accepted the amendments, does not mean that the amendments addressed all of the Prosecutor's concerns.

Councillor McWhirter said that there seems to be a lot of confusion about this proposal, with many amendments being offered and still to be offered. She said that she believes the County officials are trying to work with City Legal to come up with an ordinance everyone can live with. She moved, seconded by Councillor Schneider, to return Proposal No. 250, 2004 to Committee so that the Prosecutor can testify as to why these amendments are necessary.

Councillor Talley said that there have already been two full committee hearings with agency heads present. He said that the Prosecutor's Office had a representative at both of these meetings, so he does not understand what a third committee meeting would accomplish.

The motion to return Proposal No. 250, 2004 to Committee failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abduallah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

Councillor Bradford asked for consent to explain his vote. Consent was given. Councillor Bradford said that he had asked in Committee that the proposal be continued, and this effort failed.

Councillor Borst made the following motion:

Mr. President:

To clarify and limit the scope of the Article, I move to amend Proposal No. 250, 2004, as follows: In Section 1, add a new definition in Sec. 141-101, to read as follows:

Services means maintenance agreements and engineering services contracts, it does not include agreements for contractual employees for legal counsel, if the annual budget included appropriations for such purposes.

Councillor Schneider seconded the motion. The motion to amend failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

Councillor Borst made the following motion:

Mr. President:

To assure that the right to counsel and confidentiality is protected, I move to amend Proposal No. 250, 2004 as follows:

In Section 2, add two new sentences at the end of paragraph (8) of Sec. 202-103, to read as follows:

Provided, no contract for the representation of a county elected official shall be approved unless the elected official has agreed to be represented by the party to such contract. Provided, further, the approval of the Corporation Counsel shall not be required with respect to a contract entered into by an elected county official for legal advice when the mayor or an official under the control of the Mayor has advised such official to take, or refrain from taking actions, which such official in good faith believes might be a violation of existing law.

Councillor McWhirter seconded the motion. The motion to amend failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

Councillor Borst said that the elected officials did not see the amended version until the Committee hearing and had no further input on it, contrary to what Mr. Chinn may have said regarding the county officials agreeing to the amended version. Councillor Talley said that Mr. Chinn was correct in his testimony.

Councillor Borst made the following motion:

Mr. President:

To make it clear that the county auditor retains the statutory authority over warrants issued for payment of county funds, I move to amend Proposal No. 250, 2004, as follows:

In Section 3, add a new subsection (d) to Section 202-204, to read as follows:

(d) Notwithstanding any other provision of this article, the city controller shall file copies of all contracts for which payment is to be made from county funds with the county auditor, who shall have the exclusive authority as provided by statute to approve or disapprove any claim for payment from county funds.

Councillor Bradford seconded the motion. The motion to amend failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

Councillor Borst made the following motion:

Mr. President:

To insure county official representation on the county administrative board, I move to amend Proposal No. 250, 2004, as follows:

Renumber existing Sections 6, 7 and 8 as Sections 7, 8 and 9 respectively and add a new Section 6, to read as follows:

Section 6. Sec. 281-101 of the Revised Code of the Consolidated City and County, be and is hereby amended by deleting the stricken-through text and inserting the underlined text, to read as follows:

Sec. 281-101. Members

The city-county administrative board (board) shall consist of the director of the department of administration who shall serve as its presiding officer, the county auditor, the controller, the president of the board of county commissioners, and the administrator of the Marion Superior Court. ~~and two (2) members appointed by the city-county council. Each appointed members shall serve a term ending December thirty first of the year the appointment is effective and until a successor is appointed and qualifies at the pleasure of the appointing authority. If a vacancy occurs on the board, the appointing authority shall appoint a replacement for the remainder of the term.~~

Councillor Schneider said that this is simply a friendly amendment and he seconded the motion. Councillor Talley said that the City-County Council should be represented on that board to make decisions regarding contracts.

The motion to amend failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

Councillor Bradford asked if the Courts are totally exempt from this proposal. Mr. Chinn said that they are basically exempt except for the requirement that the Courts file an annual report of contracts with the Council. Councillor Bradford asked why the Prosecutor's Office is then therefore also not exempt. Mr. Chinn said that the representatives in committee did not testify that they needed to be exempt and there were some things that the Prosecutor's representative said they did not mind being regulated by. Councillor Bradford said that there seems to be a difference of opinion, and this does not seem to be the case. He asked if there is a representative from the Prosecutor's Office that can respond to whether or not the Prosecutor has agreed to these amendments. John Commons, Chief Financial Officer for the Prosecutor's Office, said that the Prosecutor's Office is a judicial office, the same as the Courts are, and the Council does not have the jurisdiction to restrict the Prosecutor's Office any more than they have the authority to restrict the Courts. He said that their position is that the Prosecutor's Office should be treated the same as the Courts. He said that in e-mail conversations which took place with Corporation Counsel representatives last week, he specifically expressed his objections that the Prosecutor's Office was being treated differently than the Courts. Councillor Bradford asked if Corporation Counsel would be willing to exempt the Prosecutor's Office, along with the Courts. Mr. Chinn said that it

is not his role to advise the Council on policy matters this evening, and they worked with many County officials and tried to work in all amendments they had been asked to make. He said that the sponsors to the ordinance and Rules and Public Policy Committee are ultimately responsible for the finished product that comes before the Council for recommendation of passage. Councillor Bradford said that he tried to get it postponed on the Committee level, but if this proposal passes this evening, does the Mayor agree with the policy, and will he sign the proposal. Mr. Chinn said that he has every reason to believe that the Mayor will sign the ordinance.

Councillor Schneider said that this ordinance deals with much more than just finding savings in bulk purchasing of office supplies. He said that he would have been satisfied to find cost savings, but this ordinance has become a matter of political patronage.

Councillor Talley said that this comment has been made in several meetings, and he would like to apologize to the Mayor's Office and Mr. Chinn. He said that he began drafting this proposal before the results of the election were even determined, and it is not about politics, but rather a straightforward financial control mechanism.

Councillor Mansfield said that the purpose of this proposal is for prudent legal and fiscal review and to go further than that is inappropriate and misleading to the public.

Councillor Salisbury said that it is unfortunate that this gives the impression of impropriety in purchasing.

Councillor Sanders moved, seconded by Councillor Talley, for adoption of Proposal No. 250, 2004, as amended in Committee. Proposal No. 250, 2004, as amended, was adopted on the following roll call vote; viz:

15 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley
14 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

Proposal No. 250, 2004, as amended, was retitled GENERAL ORDINANCE NO. 48, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 2004

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to establish the procedures and requirements for execution of city and county contracts, to establish an official repository and database for such contracts, and to clarify the authority of the corporation counsel regarding contracts for independent legal counsel.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 141 of the "Revised Code of the Consolidated City and County," regarding administrative procedure, hereby is amended by the addition of a NEW Article I, to read as follows:

ARTICLE I. CITY AND COUNTY CONTRACTS

Sec. 141-101. Definitions; application.

(a) As used in this article, the following terms shall have the meanings ascribed to them in this subsection.

City contract means and includes each contract entered into by the city or a city agency, officer or

employee for the purchase of goods or services.

County contract means and includes each contract entered into by the county or a county agency, officer or employee for the purchase of goods or services.

(b) This article shall apply to all city contracts and county contracts, including contracts entered into by the prosecuting attorney that do not involve a core prosecution function; however, this article shall not apply, except where specifically provided, to contracts entered into by the city-county council, circuit court or Marion superior court. Notwithstanding the foregoing provisions, the city-county council, circuit court, Marion superior court, and prosecuting attorney are encouraged to follow all procedures and comply with all requirements of this article to the extent they deem advisable or appropriate.

Sec. 141-102. Requirements for execution.

(a) No city contract or county contract shall be entered into unless there has been compliance with applicable state statutes regarding public purchases. A city contract or county contract that has been executed without such compliance shall be voidable on that basis alone.

(b) The office of corporation counsel shall review each city contract and county contract for form and legality, and if appropriate shall approve such contract.

(c) The city controller shall examine and approve all city contracts as provided in Section 202-203 of the Code.

(d) The county auditor shall examine all county contracts that would result in or involve financial obligations for the county, and shall approve such contracts only upon ascertaining that there is an unexpended and unencumbered balance in the account or fund from which money may be drawn for payment.

(e) Each city contract and county contract for any city or county office or agency that does not have a board to approve the award of contracts shall be subject to the approval of the mayor or, in the mayor's sole discretion, the mayor's designee.

(f) Each city contract and county contract shall bear appropriate notations and signature lines showing that it was reviewed and approved as required by this section prior to its execution by the parties. A contract that is executed without the approval of the office of corporation counsel, the city controller or county auditor, or the mayor as required by this section shall be voidable on that basis alone.

Sec. 141-103. Repository and database.

The city purchasing division shall serve as the repository for all city contracts and county contracts, including contracts entered into by the city-county council, circuit court, Marion superior court, and the prosecuting attorney, and shall maintain a database of such contracts as provided by Section 202-204 of the Code. The city purchasing division shall make such contracts and database available to the county auditor.

Sec. 141-104. Courts and prosecuting attorney; report to the council.

On or before July 1 of each year, the circuit court, Marion superior court and prosecuting attorney shall each submit to the city-county council a report describing its contracting and purchasing procedures, and contracts and purchase orders executed or processed during the preceding twelve month period, including but not limited to identification of the parties, the services and supplies contracted for, and the contract dollar amounts.

SECTION 2. Section 202-103 of the "Revised Code of the Consolidated City and County," regarding the powers of the office of corporation counsel, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

Sec. 202-103. Powers of office of corporation counsel.

The office of corporation counsel shall:

- (1) Furnish all legal services to the mayor, the city-county council (except those services provided pursuant to council rules by the council's general counsel and ~~assistant attorney~~ caucus attorneys as specified in chapter 151 of this Code ~~or otherwise specifically authorized by the president of the council or by action of the council~~), all departments and divisions of the city and all county officials (~~except those services provided to judicial offices and the prosecuting attorney by the Indiana~~

Attorney General pursuant to IC 33-2-1-9-1) and agencies; however, this subsection shall not apply to:

- a. Services the circuit court or Marion superior court find necessary to carry out their judicial powers as provided by the Indiana Constitution or statute;
 - b. Services provided by a special prosecutor appointed pursuant to IC 33-14-1-6, and the prosecution of a criminal case by the county prosecutor; or
 - c. Services provided to judicial offices and the prosecuting attorney by the Indiana Attorney General pursuant to IC 33-2-1-9-1;
- (2) Prepare ordinances and resolutions, except those relating only to the internal rules or procedures of the council or as provided in Section 151-62 of the Code, for introduction before the city-county council, and prepare legislative proposals to be introduced in the general assembly;
- (3) Prepare leases, deeds, contracts and other legal documents;
- (4) Institute legal action for the purpose of enforcing the ordinances of the city and county;
- (5) ~~Employ the services of outside legal counsel when in the best interests of the city with the approval of the mayor;~~
- (65) Furnish legal advice and opinions when such legal advice or opinion is requested by persons entitled to representation by the office of corporation counsel;
- (76) ~~Compromise litigation and effect settlement of impending litigation affecting that was initiated by or brought against:~~
- a. ~~‡The city, with the approval of the mayor;~~
 - b. The city-county council, with approval of the council; and
 - c. The county, county official, or county office, with the approval of the agency for whom representation is provided;
- (87) Enter an appearance as attorney for and represent and defend the city, ~~the mayor, the members of the city-county council, all departments and divisions of the city, county agencies, all officers, agents and employees thereof~~ the county, city and county agencies, officers and employees, and the city-county council and its members subject to Sections 151-100, 151-101 and 151-102 of the Code, in all causes of action wherein they are parties by reason of their official capacity and to conduct all appellate litigation arising therefrom or timely advise any such ~~officer or agency entity or person~~ if such representation is declined and the reasons therefor;
- (98) Contract with independent legal counsel to represent and defend ~~officers or agencies~~ an entity or person entitled to representation and defense by the city or county when under this section, whenever:
- a. It is in the best interests of the city, with the approval of the mayor;
 - b. It is in the best interests of the city-county council, with the approval of the council;
 - c. It is in the best interests of the county, county official, or county office, with the approval of the agency for whom representation is provided; or
 - d. ~~‡Representation is declined by the corporation counsel for reason of conflicts of interest, if such officer or agency and the party for whom representation is provided requests the same;~~

no contract for legal services may be entered into or executed by the city, the county, or a city or county agency or employee without the prior written approval of the corporation counsel, and any contract executed without the prior written approval of the corporation counsel as required by this subsection shall be voidable on that basis alone; however, this subsection shall not apply to contracts for legal services that the city-county council enters into pursuant to Sections 151-100 and 151-102 of the Code, or that the circuit court or Marion superior court find necessary to carry out their judicial powers as provided by the Indiana Constitution or state statute, nor shall this subsection apply to the appointment of a special prosecutor pursuant

to IC 33-14-1-6 or to the prosecution of a criminal case by the county prosecutor:

~~(409)~~ Provide legal representation to any municipal corporations whose budgets are subject to review by the City-County Council when both the municipal corporation and the mayor consent to such representations; and

~~(410)~~ Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 3. Section 202-204 of the "Revised Code of the Consolidated City and County," regarding the powers of the purchasing division, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

Sec. 202-204. Purchasing division; promotion of supplies manufactured in the United States.

(a) The office of the city controller shall include a purchasing division, which shall be the purchasing agency, as that term is defined and used in IC 5-22, for the city and county, and for each of their respective departments, divisions, offices and agencies.

(b) The powers and duties of the purchasing division shall include:

(1) Acting as the agent in obtaining materials, supplies, equipment or contractual services, other than personal services, for city and county departments, divisions, offices and agencies. Any such department, division, office or agency shall requisition such materials, supplies, equipment or services from the purchasing agent who shall, upon determining that appropriations are available for such purposes, acquire the items requisitioned in accordance with public purchase law. All contracts of purchase shall be made in the name of the city department or division or county office and be subject to the approval of the department, division, office or agency;

(2) Establishing such purchasing and contractual procedures as may best be suited to obtain the greatest economic value to the city and the county;

(3) Where bidding and publication of notice are required by law, preparing specifications and notice to bidders and seeing that the required notices are published;

(4) Ensuring that adequate funds are available prior to making necessary purchases and acquisitions are within the limits of the budget appropriations of the department, division, office or body in need of the material;

(5) Acting as the agent of any executive department to sell or exchange any personal property ordered to be sold by a city department or division or county office in accordance with procedures prescribed by law; ~~and~~

(6) Serving as the repository for all executed contracts of the city, the county, each of the city's and county's respective departments, divisions, offices and agencies, the city-county council except as provided by Section 151-93(4) of the Code, the circuit court, Marion superior court, and the prosecuting attorney, and maintaining a database on these contracts listing all contracting parties and encumbrances; and

~~(67)~~ Exercising any other powers which may be granted by statute or ordinance or delegated by the mayor.

(c) To promote the purchase of supplies manufactured in the United States as set forth in IC 5-22-15-21, the city and county, and each of their respective departments, divisions, offices and agencies shall specify and purchase supplies manufactured in the United States unless the purchasing agent first determines that any of the following circumstances apply:

(1) The supplies are not manufactured in the United States in reasonably available quantities;

(2) The price of the supplies manufactured in the United States exceeds by an unreasonable amount the price of available and comparable supplies manufactured outside the United States;

(3) The quality of the supplies is substantially less than the quality of comparably priced available supplies manufactured outside the United States; or

- (4) The purchase of supplies manufactured in the United States is not in the public interest.

SECTION 4. Article III of Chapter 202 of the "Revised Code of the Consolidated City and County," regarding the office of city controller, hereby is amended by the addition of a NEW Section 202-205, to read as follows:

Sec. 202-205. Validity of contract when purchasing division not acting as purchasing agent.

A contract that is executed by the city, county, or a city or county agency, officer, or employee pursuant to a process in which the purchasing division did not act as the purchasing agent as required by statute or ordinance, shall be voidable on that basis alone; however, this section shall apply to the prosecuting attorney only with respect to contracts for the purchase of office supplies, and shall not apply to contracts for core prosecution functions, or contracts entered into by the circuit court, Marion superior court, or the city-county council.

SECTION 5. Section 281-103 of the "Revised Code of the Consolidated City and County," regarding the powers of the city-county administrative board, hereby is amended by the addition of the language which is underscored, to read as follows:

Sec. 281-103. Powers.

The powers of the board shall be as follows:

- (a) The board shall approve the following contracts for any city or county office which does not currently have a board to approve the award of contracts, subject to the authority of the executive:

- (1) Contracts for the lease or purchase of capital equipment or other property if such lease or purchase is required to be bid under IC 36-1-9;
- (2) Contracts, for acquisition of and leases for real estate, including leases, pursuant to IC 36-1-11, for the siting of cellular, digital personal communications systems, or other wireless communications systems towers and related equipment;
- (3) Any contract for public construction which must be bid under IC 36-1-12;
- (4) Any contract by the county auditor or city controller for assistance in the collection of money owed to the city or county; and
- (5) Contracts that may be referred to the board as the mayor's designee, as provided in Section 141-102 of the Code.

- (b) The board shall act as the "disposing agent" under IC 36-1-11 when a city or county board or office has determined that property shall be disposed of under IC 36-1-11-6.

- (c) The board shall review insurance and surety bond coverage for all officers, agents, employees, departments and agencies of city and county government.

- (1) All officers and agencies of city and county government shall furnish complete information to the board respecting all insurance and surety bond coverage.
- (2) The board may hire or contract for the professional insurance advisor, auditor or consultant to assist in compiling records and making recommendations on types, kinds or amounts of coverage.
- (3) The board shall determine, subject to the approval of the mayor and the city-county council and subject to IC 5-4-1, the appropriate kind, amount, coverage, acquisition and consolidation of the insurance and surety bonds of those governmental departments and officials subject to the board.
- (4) The board may designate an ex officio subcommittee composed of the presiding officer of the board, the president of the Indianapolis Professional Firefighters Union Local 416, the president of the Indianapolis Fraternal Order of Police Local 86, the presidents of AFSCME, Locals 725, 1831, 1887 and 3131 or their duly appointed representatives. The ex officio subcommittee shall review and make recommendations to the board as to medical and life insurance for employees and other such related employee benefits.
- (5) In addition, the board may designate any additional ex officio subcommittees as in its judgment will aid the board in effectuating the purposes of subsection (c).

SECTION 6. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 7. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 8. SECTION 4 of the ordinance shall be in effect from and after January 1, 2005, and compliance with Ind. Code § 36-3-4-14; however, notwithstanding the effective date for this section, the council expects and encourages all offices and officers to accomplish their public purchases in compliance with Indiana statutes and the entirety of this ordinance at the earliest possible time it is practicable to do so. The remaining sections of this ordinance shall be in effect from and after thirty (30) days following its passage by the Council and compliance with Ind. Code § 36-3-4-14, or September 1, 2004, whichever last occurs.

Councillor Borst asked for consent to explain his vote. Consent was given. Councillor Borst said that he believes this is a shame and a pure political power grab by the Mayor and Corporation Counsel. He said there is no reason the Mayor should control purchasing, contracts, and legal representation for the County office holders. He said that in Committee he asked if there was a problem with spending and contracts and was told there was not. Therefore, he believes this is retribution for the one County office holder who made the Mayor and Corporation Counsel mad. He said it is an affront to the public County office holders.

Councillor Gray said that he regrets the Minority Leader has taken such a negative tone with this proposal as it was not directed at any political office holder and was simply done for the will of the people and betterment of the City.

Councillor Keller said that if this proposal had stopped with purchasing, he would have supported it. However, he believes in a division of powers, and elected County officials should be held accountable by the public and this modifies that authority.

Councillor Brown said that this is not a political matter for him, but simply an attempt to be fiscally responsible. This proposal does not hinder the Prosecutor's Office from doing their job.

Councillor Cockrum said that since the effective date of this proposal is not until next year, it does not seem responsible to rush this proposal through without looking at all aspects and sorting out outstanding issues.

Councillor Sanders said that the January 1, 2005 effective date affects purchasing only, and the remaining requirements go into effect September 1 or thirty days after passage.

PROPOSAL NO. 261, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 261, 2004 on June 14, 2004. The proposal, sponsored by Councillors Nytes and Pfisterer, amends the official zoning map to change the delineation of the wellfield protection zoning districts. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Talley moved, seconded by Councillor Nytes, for adoption. Proposal No. 261, 2004, as amended, was adopted on the following roll call vote; viz:

June 21, 2004

25 YEAS: *Abduallah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gray, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

0 NAYS:

4 NOT VOTING: *Bradford, Gibson, Keller, Nytes*

Proposal No. 261, 2004, as amended, was retitled GENERAL ORDINANCE NO. 49, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 2004

PROPOSAL FOR A GENERAL ORDINANCE to amend the official zoning map to change the delineation of the W-1 and W-5 wellfield protection zoning districts.

WHEREAS, Section 735-800(c) of the "Revised Code of the Consolidated City and County" provides that the W-1 and W-5 districts shall be reevaluated by the Office of Environmental Services of the Department of Public Works ("OES"), with input from a Committee including representatives from OES, the Department of Metropolitan Development ("DMD"), Health and Hospital Corporation of Marion County, Indiana, and applicable water utilities, no less frequently than every five (5) years to determine scientific reasonableness of the districts' maps; and

WHEREAS, the wellfields were reevaluated in 1998 and have been reevaluated again in 2003; and

WHEREAS, all water utilities that operate drinking water systems in Indiana are required to submit a Wellhead Protection Plan (WHPP) for each wellfield; and

WHEREAS, the wellfield reevaluation conducted in 2003 reviewed the pumping rates, the number of pumping wells operated, and the addition of new wellfields developed by the water utilities in Marion County as reported in the water utilities' Wellhead Protection Plans to determine if the those factors are appropriately reflected in the Wellfield Protection Zoning Maps; and

WHEREAS, the Department of Public Works, Office of Environmental Services; the Department of Metropolitan Development; the Marion County Health Department, Weston Solutions (the Technically Qualified Person for the City of Indianapolis pursuant to Section 735-803(b) of the Revised Code), Mundell and Associates, Indianapolis Water Department and Veolia Water N.A. LLC, Lawrence Utilities, Speedway Waterworks and the Marion County Wellfield Education Corporation participated in reviewing the Wellfield Protection Zoning Maps to determine the scientific reasonableness and proper delineation W-1 and W-5 districts based on the reevaluation and concluded that the W-1 and W-5 districts delineation should be changed; and

WHEREAS, the Indiana Department of Environmental Management independently evaluated and approved the proposed changes to the W-1 and W-5 districts delineation; and

WHEREAS, the attached zoning base maps show the delineation of the boundaries of the W-1 and W-5 of the wellfield protection districts, changed in a manner determined to be scientifically reasonable by the 2003 reevaluation; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The official zoning map of Marion County, Indiana, is amended to change the delineation of the W-1 and W-5 wellfield protection zoning districts to conform to delineation of the W-1 and W-5 wellfield zoning district lines shown on the zoning base maps attached hereto, which have been determined to be scientifically reasonable by the reevaluation study concluded in 2003.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid

provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 273, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 273, 2004 on June 9, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$11,345 in the 2004 Budget of the Public Defender Agency (State and Federal Grants Fund) to transfer surplus fringes from the Marion County Auditor's grant budget to cover salary expense. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal No. 273, 2004, as amended, was adopted on the following roll call vote; viz:

23 YEAS: Abdullah, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gray, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Sanders, Schneider, Speedy

0 NAYS:

6 NOT VOTING: Borst, Bradford, Gibson, Keller, Salisbury, Talley

Proposal No. 273, 2004 was retitled FISCAL ORDINANCE NO. 86, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 86, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.115, 2003) transferring and appropriating an additional Eleven Thousand Three Hundred Forty-five Dollars (\$11,345) in the State and Federal Grants Fund for purposes of the Public Defender Agency and Marion County Auditor reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(b) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Public Defender Agency to transfer Character 01 (fringes) surplus fringes to Character 01 (salaries) to cover salary expense.

The sum of additional Eleven Thousand Three Hundred Forty Five Dollars (\$11,345) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>PUBLIC DEFENDER AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services (salaries)	<u>11,345</u>
TOTAL INCREASE	11,345

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services(fringes)	<u>11,345</u>
TOTAL DECREASE	11,345

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 274, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 274, 2004 on June 9, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$120,000 in the 2004 Budget of the Public Defender Agency (County General Fund) to transfer fringes (Char 01) and capital

outlay (Char 04) to other services and charges (Char 03) to pay expenses for seven (7) contractual attorneys handling termination of parental right cases for the balance of 2004. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Nytes, for adoption. Proposal No. 274, 2004 was adopted on the following roll call vote; viz:

29 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*
0 NAYS:

Proposal No. 274, 2004 was retitled FISCAL ORDINANCE NO. 87, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 87, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.115, 2003) transferring and appropriating an additional One Hundred Twenty Thousand Dollars (\$120,000) in the County General Fund for purposes of the Public Defender Agency and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(b) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Public Defender Agency to transfer Character 01 (Fringes) surplus fringes and Character 04 (Capital Outlay) dollars to Character 03 to pay expenses for seven (7) contractual attorneys.

SECTION 2. The sum of additional One Hundred Twenty Thousand Dollars (\$120,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>120,000</u>
TOTAL INCREASE	120,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personnel Services(fringes)	100,000
4. Capital Outlay	<u>20,000</u>
TOTAL DECREASE	120,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 280, 2004. Councillor Sanders reported that the Rules and Public Policy Committee heard Proposal No. 280, 2004 on June 8, 2004. The proposal, sponsored by Councillor Moriarty Adams elects to fund MECA in 2005 with County Option Income Tax (COIT) revenues in the amount of \$2,750,000. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider asked what amount MECA was funded last year. Councillor Sanders said that it was the same amount. Councillor Schneider asked why the ordinance was not sent to the Public Safety and Criminal Justice Committee as in the past. President Boyd said that he made the decision to send the proposal to the Rules and Public Policy Committee.

Councillor Sanders moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 280, 2004 was adopted on the following roll call vote; viz:

29 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy
0 NAYS:

Proposal No. 280, 2004 was retitled SPECIAL ORDINANCE NO. 4, 2004, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 2004

A SPECIAL ORDINANCE electing to fund MECA in 2005 with County Option Income Tax (COIT) Revenues.

WHEREAS, IC 36-8-15-19(b) provides that the city-county council may elect to fund the operation of a public safety communications system and computer facilities special taxing district from part of the certified distribution the county is to receive during a particular calendar year under IC 6-3.5-6-17; and

WHEREAS, the Marion County Metropolitan Emergency Communications Agency ("MECA") is the governing body of the Consolidated City of Indianapolis and Marion County public safety communications system and computer facilities district ("District"); and

WHEREAS, to make such an election for 2005, the city-county council, prior to September 1, 2004, must pass an ordinance specifying the amount of the certified distribution to be used to fund the District; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The city-county council hereby elects to fund the operation of the District through MECA in 2005 from part of the certified distribution the county is to receive under IC 6-3.5-6-17.

SECTION 2. The amount of the certified distribution to be used for this purpose is \$2,750,000.

SECTION 3. Upon adoption, the clerk of the council shall immediately forward a copy of this ordinance to the county auditor.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 281, 2004. Councillor Sanders reported that the Rules and Public Policy Committee heard Proposal No. 281, 2004 on June 8, 2004. The proposal, sponsored by Councillors Boyd, Gray, Franklin, Plowman, Talley and Moriarty Adams, clarifies the application of the city's curfew ordinances. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bowes said that he is glad to see the City being proactive in ensuring the safety of its children.

Councillor Sanders moved, seconded by Councillor Bowes, for adoption. Proposal No. 281, 2004 was adopted on the following roll call vote; viz:

29 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy
0 NAYS:

Proposal No. 281, 2004 was retitled GENERAL ORDINANCE NO. 50, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 2004

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to clarify the application of the city's curfew ordinances.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 381-103 of the "Revised Code of the Consolidated City and County," regarding the application of the city's curfew ordinances, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

Sec. 381-103. Application.

(a) Sections 381-101 and 381-102 of this chapter do not apply to a child who is:

- (1) Accompanied by the child's parent, guardian, or custodian;
 - (2) Accompanied by an adult specified by the child's parent, guardian, or custodian; ~~or~~;
 - (3) With the consent of the child's parent, guardian, or custodian, either participating in, going to, or returning from:
 - a. Lawful employment;
 - b. A school-sanctioned activity; ~~or~~;
 - c. A religious event;
 - d. An emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial damage;
 - e. An expressive, religious, or associational activity protected by either federal or state law, including but not limited to the free exercise of religion, freedom of speech, and the right of assembly;
 - f. An activity conducted by a non-profit or governmental entity that provides recreation, education, training, or other care under the supervision of one (1) or more adults; or
 - g. An activity undertaken at the written direction of the child's parent, guardian, or custodian;
- ~~or~~
- (4) Engaged in interstate or international travel from a location outside Indiana to another location outside Indiana.

(b) No complaint shall be filed unless the officer reasonably believes that an offense has occurred under this section and that no defense exists for the alleged violation.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 294, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 294, 2004 on June 15, 2004. The proposal, sponsored by Councillors Sanders, Boyd, Gray, Nytes, Abdullallah, Bowes, Brown, Conley, Franklin, Gibson, Mahern, Mansfield, Moriarty Adams, Oliver, Talley and Keller, reduces the appropriations for the City-County Council in the amount of Fifty Thousand Dollars (\$50,000) for purposes of increasing the fund balance of the Consolidated County Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bradford asked about the cuts in the management consulting area, and asked what each caucus is budgeted in this area every year. Councillor Nytes said that this varies from year to year. Councillor Bradford asked what the amount was in 2004. Kent Burrow, chief financial officer, said that the budget for the majority caucus is \$72,500 and \$67,500 for the minority caucus. Councillor Bradford asked what the original budget for print advertisement was. Mr. Burrows said that he does not have that number in front of him. Councillor Bradford asked what the promotional account is budgeted at. Mr. Burrows said it is \$17,000. Councillor Bradford asked what the management consulting funds are used for by each caucus. Councillor Sanders said that the caucuses occasionally use consultant contracts, such as was the case by the Republican caucus last year for George Pendency and Carlton Curry's contracts. Councillor Bradford asked if those contracts were caucus-specific, or if they were Council-wide. He said that which consulting fees get paid out of general Council funds as per the President, and which ones get paid for by individual caucuses. Councillor Sanders said that this line item split from other consulting costs began during the year of redistricting, when each caucus hired consultants. Councillor Bradford said that he is simply asking because he does not understand how it is separated out. President Boyd said that the redistricting consultant contracts were a one-time thing, and there are contracts each caucus are allowed on different matters. He advised Councillor Bradford to consult his Minority Leader to discuss these consulting contracts.

Councillor Nytes moved, seconded by Councillor Gray, for adoption. Proposal No. 294, 2004 was adopted on the following roll call vote; viz:

29 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy
0 NAYS:

Proposal No. 294, 2004 was retitled FISCAL ORDINANCE NO. 88, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 88, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003, Section 1 (c), reducing the appropriations for the City-County Council in the amount of Fifty Thousand Dollars (\$50,000) in the Consolidated County Fund for purposes of increasing the fund balance of the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for a reduction in expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c), of the City-County Annual Budget for 2004, be, and is hereby, amended by the reductions hereinafter stated for purposes of the City-County Council to reduce Character 03 (Other Services and Charges).

June 21, 2004

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following fund balance is increased:

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered balance	
Consolidated County Fund	<u>50,000</u>
TOTAL INCREASE	50,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>CONSOLIDATED COUNTY FUND</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>50,000</u>
TOTAL DECREASE	50,000

SECTION 5. The projected December 31, 2004, fund balance for the Consolidated County Fund is as follows:

Estimated cash balance as of April, 2004 (last closed fiscal month)	39,094,170
Estimated 2004 revenues (balance of 2004 budgeted revenues)	<u>28,649,678</u>
Projected funds available	67,743,848
2004 remaining appropriations	42,665,239
Proposed reduction appropriation (this proposal)	50,000
Pending additional appropriation (Proposal No. 259, 2004)	<u>687,000</u>
Total Requirements	43,302,239
Projected fund balance December 31, 2004	24,441,608

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 295, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 295, 2004 on June 15, 2004. The proposal, sponsored by Councillors Sanders, Boyd, Gray, Nytes, Abdullah, Bowes, Brown, Conley, Franklin, Gibson, Mahern, Mansfield, Moriarty Adams, Oliver, Talley and Keller, reduces \$300,000 in appropriations for the Marion County Recorder for purposes of increasing the fund balance of the County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Cockrum asked if the elected official has agreed to this reduction. Councillor Nytes said that Wanda Martin, County Recorder, has agreed to the reduction and is sure that she can operate effectively without these monies.

Councillor Nytes moved, seconded by Councillor Gibson, for adoption. Proposal No. 295, 2004 was adopted on the following roll call vote; viz:

29 YEAS: *Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*
0 NAYS:

Proposal No. 295, 2004 was retitled FISCAL ORDINANCE NO. 89, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 89, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 113, 2003, Section 1 (d) reducing Three Hundred Thousand Dollars (\$300,000) in appropriations for the County Recorder from the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reduce expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(d) of the City-County Annual Budget for 2004 be, and is hereby, amended by the reductions hereinafter stated for purposes of the County Recorder from the County General Fund to reduce Character 01 (Personal Services).

SECTION 2. The sum Three Hundred Thousand Dollars (\$300,000) be, and the same is hereby, reduced for the purposes as shown in Section 3.

SECTION 3. The said reduction is as follows:

<u>MARION COUNTY RECORDER</u>	<u>COUNTY GENERAL FUND</u>
1. Personnel Services	<u>300,000</u>
TOTAL DECREASE	300,000

SECTION 4. The projected December 31, 2004 fund balance for the County General Fund is as follows:

Current cash balance 04-30-04	-5,584,759
Estimated 2004 revenues (balance of 2004 budgeted revenues)	26,066,761
Anticipated additional funds	<u>3,124,762</u>
Projected funds available	23,606,764
 2004 appropriations remaining including prior year carryover encumbrances	 22,099,589
Proposed reduction in appropriations	<u>300,000</u>
Total Requirements	21,799,589
 Projected fund balance December 31, 2004	 1,807,175

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 296, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 296, 2004 on June 15, 2004. The proposal, sponsored by Councillors Sanders, Boyd, Gray, Nytes, Abdualah, Bowes, Brown, Conley, Franklin, Gibson, Mansfield, Mahern, Moriarty Adams, Oliver, Talley and Keller, reduces the appropriations for the Marion County Voters Registration Board in the amount of \$50,000 for purposes of increasing the fund balance of the County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Cockrum asked if the elected official, the County Clerk, has agreed. Councillor Nytes said that Voters Registration representatives Cathline Mullin and Sherry Beck are the ones who manage this division's budget and are the ones who testified that they could live with this reduction.

Councillor Bradford said that he would hate to see this money taken from this area before an election, especially with the glitches with the new voting machines, and he opposes the proposal. Councillor Nytes said that the responsibility for the voting machines is covered in the County Clerk's budget and the Election Board's budget. This budget is for voter registration and savings has been identified. These reductions will help build up the General Fund in the case of emergency spending being needed. Councillor Bradford said that he still does not want to see money cut out of any budget related to voting and elections. Councillor Mahern said that Voter's Registration is separate from the Clerk and Election Board.

June 21, 2004

Councillor Nytes moved, seconded by Councillor Gibson, for adoption. Proposal No. 296, 2004 was adopted on the following roll call vote; viz:

24 YEAS: Abdullallah, Borst, Bowes, Boyd, Brown, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Speedy, Talley
5 NAYS: Bradford, Cain, Cockrum, Randolph, Schneider

Proposal No. 296, 2004 was retitled FISCAL ORDINANCE NO. 90, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 90, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 116, 2003, Section 1 (b), reducing the appropriations for the Marion County Voters Registration Board in the amount of Fifty Thousand Dollars (\$50,000) in the County General Fund for purposes of increasing the fund balance of the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for a reduction in expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c), of the City-County Annual Budget for 2004, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Voters Registration Board to reduce Character 01 (Personal Services) from the General Fund.

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following fund balance is increased:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered balance	
County General Fund	<u>50,000</u>
TOTAL INCREASE	50,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>VOTERS REGISTRATION</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>50,000</u>
TOTAL DECREASE	50,000

SECTION 5. The projected December 31, 2004, fund balance for the County General Fund is as follows:

Current cash balance 04-30-04	-5,584,759
Estimated 2004 revenues (balance of 2004 budgeted revenues)	26,066,761
Anticipated additional funds	<u>3,124,762</u>
Projected funds available	23,606,764
2004 appropriations remaining including prior year carryover encumbrances	22,099,589
Anticipated appropriation reductions made by this proposal	<u>50,000</u>
Total Requirements	22,049,589
Projected fund balance December 31, 2004	1,557,175

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 297, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 297, 2004 on June 15, 2004. The proposal, sponsored by Councillors Sanders, Boyd, Gray, Nytes, Abdullallah, Bowes, Brown, Conley, Franklin, Gibson, Mahern, Mansfield, Moriarty Adams, Oliver, Talley and Keller, reduces the appropriations for

the Marion County Assessor and Township Assessors in the amount of \$201,000 for purposes of increasing the fund balance of the County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Nytes moved, seconded by Councillor Talley, for adoption. Proposal No. 297, 2004, as amended, was adopted on the following roll call vote; viz:

29 YEAS: *Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*
0 NAYS:

Proposal No. 297, 2004 was retitled FISCAL ORDINANCE NO. 91, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 91, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 116, 2003, Section 1 (c), (d), (e), (f), (g), (h), (i), (j), and (k) reducing the appropriations for the Marion County Assessor and Township Assessors Two Hundred One Thousand Dollars (\$201,000) in the County General Fund for purposes of increasing the fund balance of the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c), (d), (e), (f), (g), (h), (I), (j), and (k) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Assessor, Center Township Assessor, Decatur Township Assessor, Franklin Township Assessor, Lawrence Township Assessor, Perry Township Assessor, Pike Township Assessor, Warren Township Assessor, Washington Township Assessor, and Wayne Township Assessor to reduce Character 01 (Personal Services) from the County General Fund.

SECTION 2. The sum of Two Hundred One Thousand Dollars (\$201,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered balance	
County General Fund	<u>201,000</u>
TOTAL INCREASE	201,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	4,000
3. Other Services and Charges	10,100
4. Capital Outlay	<u>4,900</u>
TOTAL DECREASE	19,000

<u>CENTER TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>58,000</u>
TOTAL DECREASE	58,000

<u>DECATUR TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>5,000</u>
TOTAL DECREASE	5,000

<u>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>5,000</u>
TOTAL DECREASE	5,000

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LAWRENCE TOWNSHIP ASSESSOR

- 1. Personal Services
- TOTAL DECREASE

COUNTY GENERAL FUND

19,000
19,000

PERRY TOWNSHIP ASSESSOR

- 1. Personal Services
- TOTAL DECREASE

COUNTY GENERAL FUND

19,000
19,000

PIKE TOWNSHIP ASSESSOR

- 1. Personal Services
- TOTAL DECREASE

COUNTY GENERAL FUND

19,000
19,000

WARREN TOWNSHIP ASSESSOR

- 1. Personal Services
- TOTAL DECREASE

COUNTY GENERAL FUND

19,000
19,000

WASHINGTON TOWNSHIP ASSESSOR

- 1. Personal Services
- TOTAL DECREASE

COUNTY GENERAL FUND

19,000
19,000

WAYNE TOWNSHIP ASSESSOR

- 1. Personal Services
- TOTAL DECREASE

COUNTY GENERAL FUND

19,000
19,000

SECTION 5. The projected December 31, 2004, fund balance for the County General Fund is as follows:

Current cash balance 04-30-04	-5,584,759
Estimated 2004 revenues (balance of 2004 budgeted revenues)	26,066,761
Anticipated additional funds	<u>3,124,762</u>
Projected funds available	23,606,764
 2004 appropriations remaining including prior year carryover encumbrances	 22,099,589
Proposed appropriations reduction made by this proposal	201,000
Total Requirements	<u>21,898,589</u>
 Projected fund balance December 31, 2004	 1,708,175

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 302, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 302, 2004 on June 9, 2004. The proposal, sponsored by Councillors Moriarty Adams, Sanders, Boyd, Gray, Abdualлах, Bowes, Brown, Conley, Gibson, Mahern, Mansfield, Nytes, Oliver and Talley, reduces the appropriations for the Marion County Prosecutor in the amount of \$300,000 for purposes of increasing the fund balance in the County General Fund. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Salisbury said that he has concerns about taking money away from the Prosecutor when crime rates are on the rise.

Councillor Plowman said that the Indianapolis Police Department and Sheriff's Department work hard and have hired new personnel to handle the work, yet crime is still up 8%. He asked how the City can propose to cut the Prosecutor's Office given these statistics. He said that this office is depended on to protect the neighborhoods.

Councillor Pfisterer said that crime is up and law enforcement performs regular sweeps. She asked how criminals can be handled if the Prosecutor's Office is faced with budget cuts.

Councillor McWhirter said that this cannot be perceived as a fix for the County budget crisis. Several ordinances have been introduced, with an estimated \$1.5 million going into fund balances. Leaving the \$300,000 in the Prosecutor's budget, would still provide a \$1.2 million fund balance. She said that it is wrong to balance the budget by cutting public safety. A Criminal Justice Planning Commission has been set up to get an overall view of funding needs.

Councillor Keller said that the Indianapolis Bar Association represents over 4,000 lawyers, judges, and other legal professionals, and they urge the members of the Council to oppose the reduction of this budget.

Councillor Cain said that criminals seem to have more rights and choices than victims. She said that she cannot support the proposal when officers are putting their lives on the line to pursue criminals who will go free because the funds are not available to prosecute them properly. She said that without a safe community, economic development also suffers.

Councillor Bradford said that Councillor Sanders testified that no prosecutors would be laid off and this reduction would not hinder the Prosecutor's Office from handling their workload. He said, however, that Councillor Sanders is not an attorney and she does not work for the Prosecutor's Office. Councillor Sanders said that she is not, but she does understand budgets, and she looked carefully at these numbers. Councillor Bradford referred to a letter from the Presiding Judge of the Marion County Superior Court, Judge Cale Bradford, and said that he does not support the proposal.

Councillor Schneider said that these figures seem to be arbitrary, capricious and pulled out of thin air and no one seems to know where they came from. He said that for the most part, politics have been kept out of public safety, but not in this case. He said that the committee hearing made a victim out of Prosecutor Brizzi and demeaned his employees. He said that he was concerned that President Boyd acknowledged after a Republican press conference today that Democrats are involved in possible political pay-back. He said that it is clear this is strictly political. President Boyd stated that he never said anything as to what Councillor Schneider referred and he would appreciate a future apology after Councillor Schneider has had an opportunity to review a video tape of the conference.

Councillor Randolph said that the Mayor added 200 police officers and Sheriff Frank Anderson is asking for more deputies. He said that these are connected issues, and this proposal unravels four years of hard work. He said that this is a flawed policy and will lead to an increase in crime.

Councillor Borst said that he believes this proposal is not just a political play, but is illegal. Once the Department of Local Government and Finance has approved the budgets and tax rates, the Council does not have the right to take money away from an elected official without the consent of the office holder. He said that each elected official should be allowed to manage their budget, and there will be future penalties.

Councillor Bowes congratulated the Prosecutor for his aggressive pursuit of grant funding that provides a huge portion of his budget. He said that there is a current year budget problem with revenue shortfalls. He said that this money should be thought of as public money and not Prosecutor's money. He said this proposal is not political, but the Prosecutor makes it political by telling the Public Defender to have fun spending his money. He said that his constituents do not believe that money belongs to the Prosecutor but to the citizens, and the Council and all elected officials are simply stewards of that money.

Councillor Nytes said that the reality is that the former Public Safety committee did not have to come to grips with how to pay for all aspects of public safety. She said budgets were very thoroughly reviewed during hearings, and much of the savings will help fund benefits. No one wants to take money from the Prosecutor's Office, but all agencies have to be properly funded, and sometimes painful cuts need to be made. Councillor Nytes said that if the Council cannot work together for these small cuts, 2005 will be even more difficult with the financial situation facing both the City and the County. She said that a year ago, the Council approved the Prosecutor's move to another building, and now it is his turn to step up to the plate. These are small steps to a solution.

Councillor Gibson said that this proposal is not about cutting the Prosecutor's Office, but about funding a bankrupt County. He said that rights of all citizens need to be protected, and rehabilitation can be used in place of incarceration in many instances with juveniles.

Councillor Talley said that 98% of his district is served by the Sheriff's Department and he would hate for a resident to call for assistance and the Sheriff not be able to send a deputy because there is no fuel available. He said that these cuts are coming from Character 03, and the Prosecutor is not willing to give up his office remodeling and membership dues in order to fund fuel for Sheriff's cars.

President Boyd said that he tries to serve this office with objectivity, but he listened to everyone say this is what we should not do, but did not hear anyone say what should be done. He said the Council cannot move forward based on what they should not do, but rather on positive action.

Councillor Mahern said that the Council spent many hours looking over every budget, and a lot of time has been put into trying to find solutions for the budget crisis.

Councillor Conley asked if there is any reason to have political pay-back if the Republicans have been good stewards and gone about the peoples' business.

Councillor Sanders said that these budget cuts were made with all seriousness and much consideration. She said that she did not make any decisions based on what official ran the office or what political party they belonged to. She said that she was given the charge to review budgets and did so very thoroughly.

Councillor Moriarty Adams said that these cuts will not reduce current staff and she does not believe it will hinder the Prosecutor's Office from doing their job.

Councillor Moriarty Adams moved, seconded by Councillor Sanders, for adoption. Proposal No. 302, 2004 was adopted on the following roll call vote; viz:

15 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

14 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

Proposal No. 302, 2004 was retitled FISCAL ORDINANCE NO. 92, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 92, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.115, 2003, Sect. 1(c), reducing the appropriations for the Marion County Prosecutor in the

amount of Three Hundred Thousand Dollars (\$300,000) in the County General Fund for purposes of increasing the fund balance of the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for a reduction in expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c), of the City-County Annual Budget for 2004, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to reduce Character 01 (Personal Services) and Character 03 (Other Services and Charges) from the County General Fund.

SECTION 2. The sum of Three Hundred Thousand Dollars (\$300,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following fund balance is increased:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered balance	<u>300,000</u>
TOTAL INCREASE	300,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY PROSECUTOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	150,000
3. Other Services and Charges	<u>150,000</u>
TOTAL DECREASE	300,000

SECTION 5. The projected December 31, 2004, fund balance for the County General Fund is as follows:

Current cash balance 04-30-04	-5,584,759
Estimated 2004 revenues (balance of 2004 budgeted revenues)	26,066,761
Anticipated additional funds	<u>3,124,762</u>
Projected funds available	23,606,764
 2004 appropriations remaining including prior year carryover encumbrances	 22,099,589
Proposed appropriation reductions made by this proposal	<u>300,000</u>
Total Requirements	22,399,589
 Projected fund balance December 31, 2004	 1,207,175

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 303, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 303, 2004 on June 9, 2004. The proposal, sponsored by Councillors Moriarty Adams, Sanders, Boyd, Gray, Abdullah, Bowes, Brown, Conley, Franklin, Gibson, Mahern, Mansfield, Nytes, Oliver, Talley and Keller, reduces the appropriations for the Metropolitan Emergency Communications Agency (MECA) in the amount of \$50,000 for purposes of increasing the fund balance of the MECA Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Gray, for adoption. Proposal No. 303, 2004 was adopted on the following roll call vote; viz:

18 YEAS: Abdullah, Boyd, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Oliver, Pfisterer, Salisbury, Speedy, Talley
0 NAYS:

11 NOT VOTING: Borst, Bowes, Bradford, Brown, Cain, Mansfield, Nytes, Plowman, Randolph, Sanders, Schneider

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Proposal No. 303, 2004 was retitled FISCAL ORDINANCE NO. 93, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 93, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 107, 2003, Section 1, reducing the appropriations for the Metropolitan Emergency Communications Agency in the amount of Fifty Thousand Dollars (\$50,000) in the Metropolitan Emergency Communications Agency Fund for purposes of increasing the fund balance of the Metropolitan Emergency Communications Agency Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for a reduction in expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1, of the City-County Annual Budget for 2004, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Metropolitan Emergency Communications Agency to reduce Character 03 (Other Services and Charges) from the Metropolitan Emergency Communications Agency Fund.

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following fund balance is increased:

	<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND</u>
Unappropriated and Unencumbered balance	
Metropolitan Emergency Communications Agency Fund	<u>50,000</u>
TOTAL INCREASE	50,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY</u>	<u>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND</u>
3. Other Services and Charges	<u>50,000</u>
TOTAL DECREASE	50,000

SECTION 5. The projected December 31, 2004, fund balance for the Metropolitan Emergency Communications Agency Fund is as follows:

Cash balance as of April 30, 2004	359,625
Estimated 2004 revenues (balance of 2004 budgeted revenues)	<u>1,967,388</u>
Projected funds available	2,327,013
2004 appropriations remaining including prior year carryover encumbrances	2,143,666
Proposed reduction in appropriations made by this proposal	<u>50,000</u>
Total Requirements	2,093,666
Projected fund balance December 31, 2004	233,347

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 304, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 304, 2004 on June 9, 2004. The proposal, sponsored by Councillors Moriarty Adams, Sanders, Boyd, Gray, Abdualлах, Bowes, Brown, Conley, Franklin, Gibson, Mahern, Mansfield, Nytes, Oliver, Talley and Keller, reduces the appropriations for the Marion County Justice Agency in the amount of \$65,233 for purposes of increasing the fund balance of the County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams

moved, seconded by Councillor Gibson, for adoption. Proposal No. 304, 2004 was adopted on the following roll call vote; viz:

19 YEAS: *Abduallah, Boyd, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Oliver, Pfisterer, Salisbury, Schneider, Speedy, Talley*

0 NAYS:

10 NOT VOTING: *Borst, Bowes, Bradford, Brown, Cain, Mansfield, Nytes, Plowman, Randolph, Sanders*

Proposal No. 304, 2004 was retitled FISCAL ORDINANCE NO. 94, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 94, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003, Section 1 (d), reducing the appropriations for the Marion County Justice Agency in the amount of Sixty-five Thousand Two Hundred and Thirty-three Dollars (\$65,233) in the County General Fund for purposes of increasing the fund balance of the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for a reduction in expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (d), of the City-County Annual Budget for 2004, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to reduce Character 01 (Personal Services), Character 02 (Supplies), Character 03 (Other Services and Charges), and Character 04 (Capital Outlay) from the County General Fund.

SECTION 2. The sum of Sixty-five Thousand Two Hundred and Thirty-three Dollars (\$65,233) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following fund balance is increased:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered balance	
County General Fund	<u>65,233</u>
TOTAL INCREASE	65,223

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	32,570
2. Supplies	10,579
3. Other Services and Charges	11,216
4. Capital Outlay	<u>10,868</u>
TOTAL DECREASE	65,223

SECTION 5. The projected December 31, 2004, fund balance for the County General Fund is as follows:

Current cash balance 04-30-04	-5,584,759
Estimated 2004 revenues (balance of 2004 budgeted revenues)	26,066,761
Anticipated additional funds	<u>3,124,762</u>
Projected funds available	23,606,764
2004 appropriations remaining including prior year carryover encumbrances	22,099,589
Proposed appropriation reductions made by this proposal	<u>65,223</u>
Total Requirements	22,034,366
Projected fund balance December 31, 2004	1,572,398

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 316-324, 2004 on June 17, 2004. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 316, 2004. The proposal, sponsored by Councillor Speedy, authorizes intersection controls for the Maples Subdivision (District 24). PROPOSAL NO. 317, 2004. The proposal, sponsored by Councillor Pfisterer, authorizes intersection controls for Speedway Woods Subdivision, Sections 1-6 (District 14). PROPOSAL NO. 318, 2004. The proposal, sponsored by Councillor Langsford, authorizes intersection controls for the intersection of 15th Street and Bazil Avenue (District 21). PROPOSAL NO. 319, 2004. The proposal, sponsored by Councillor Langsford, authorizes intersection controls for the intersection of 15th Street and Routiers Avenue (District 21). PROPOSAL NO. 320, 2004. The proposal, sponsored by Councillor Abdullah, authorizes the deletion of parking restrictions on Porto Alegre Street from Michigan Street to 10th Street (District 15). PROPOSAL NO. 321, 2004. The proposal, sponsored by Councillor Abdullah, authorizes the addition of parking restrictions on Porto Alegre Street from Limestone Street to Michigan Street (District 15). PROPOSAL NO. 322, 2004. The proposal, sponsored by Councillor Abdullah, authorizes the addition of parking restrictions on Pierson Street from Ohio Street to New York Street (District 15). PROPOSAL NO. 323, 2004. The proposal, sponsored by Councillor Abdullah, authorizes the removal of rush hour parking restrictions on Ohio Street between West Street and Capitol Avenue (District 15). PROPOSAL NO. 324, 2004. The proposal, sponsored by Councillor Mansfield, authorizes intersection controls for the Wetherburn Subdivision (District 2). By 4-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Abdullah, for adoption. Proposal Nos. 316-324, 2004 were adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

3 NOT VOTING: Bradford, Cain, Langsford

0 ABSENT:

Proposal No. 316, 2004 was retitled GENERAL ORDINANCE NO. 51, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47	McFarland Rd Shady Maple Way	McFarland Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 317, 2004 was retitled GENERAL ORDINANCE NO. 52, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
23	Acorn Woods Cir Acorn Woods Dr	Acorn Woods Dr	Stop
23	Acorn Woods Dr Great Woods Dr	Great Woods Dr	Stop
23	Charter Woods Dr Crystal Woods Cir	Charter Woods Dr	Stop
23	Charter Woods Dr Speedway Woods Dr	Speedway Woods Dr	Stop
23	Charter Woods Dr Pioneer Woods Dr Speedway Woods Dr	Speedway Woods Dr	Stop
23	Chestnut Woods Dr Green Woods Dr	Green Woods Dr	Stop
23	Coffee Tree Cir Forest Pine Ln	Coffee Tree Cir	Stop
23	Coffee Tree Cir Shingle Oak Ct Great Woods Dr	Great Woods Dr	Stop
23	Crown Woods Cir Pioneer Woods Dr	Pioneer Woods Dr	Stop
23	Grand Woods Dr Imperial Woods Cir	Imperial Woods Cir	Stop
23	Great Woods Dr Forest Pine Ln	None	All Way Stop
23	Great Woods Dr Green Woods Dr	Great Woods Dr	Stop
23	Great Woods Dr Jack Pine Ct	Great Woods Dr	Stop
23	Great Woods Dr Lynhurst Dr	Lynhurst Dr	Stop
23	Great Woods Dr Pioneer Woods Dr	Great Woods Dr	Stop
23	Grand Woods Dr Speedway Woods Dr	None	All Way Stop

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23	Great Woods Dr Speedway Woods Dr	None	All Way Stop
23	Imperial Woods Cir Speedway Woods Dr	Speedway Woods Dr	Stop
23	Speedway Woods Dr Prince Woods Cir	Speedway Woods Dr	Stop
23	Speedway Woods Dr Vermont St	Vermont St	Stop
23	Speedway Woods Dr 10 th St	10 th St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 318, 2004 was retitled GENERAL ORDINANCE NO. 53, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27	15 th St Bazil Av	15 th St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 319, 2004 was retitled GENERAL ORDINANCE NO. 54, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27	15 th St Routiers Av	Routiers Av	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 320, 2004 was retitled GENERAL ORDINANCE NO. 55, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Porto Alegre Street, on both sides, from
10th Street to a point 528 feet south of 10th Street

Porto Alegre Street, on the east side, from
A point 196 feet north of Michigan Street,
To a point 324 feet north of Michigan Street

Porto Alegre Street, on the east side, from
A point 646 feet south of 10th Street,
To a point 826 feet south of 10th Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 321, 2004 was retitled GENERAL ORDINANCE NO. 56, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Porto Alegre Street, on the east side, from
Limestone Street to Michigan Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 322, 2004 was retitled GENERAL ORDINANCE NO. 57, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

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Pierson Street, on both sides, from
Ohio Street to New York Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 323, 2004 was retitled GENERAL ORDINANCE NO. 58, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-202, Parking meter zones designated; Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours; and Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

**ON ANY DAY EXCEPT
SATURDAY AND SUNDAY
From 6:00am to 9:00am
From 3:00pm to 6:00pm**

Ohio Street, on the north side, from
West Street to Capitol Avenue

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

2 HOUR METERS

Ohio Street, on the north side, from
West Street to Capitol Avenue

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT
SATURDAY AND SUNDAY
From 3:00pm to 6:00pm**

Ohio Street, on the north side, from
A point 95 feet east of West Street to Capitol Avenue

SECTION 4. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

2 HOUR METERS

Ohio Street, on the north side, from
A point 95 feet east of West Street to Capitol Avenue

SECTION 5. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Ohio Street, on the north side, from
West Street to a point 95 feet east of West Street

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 324, 2004 was retitled GENERAL ORDINANCE NO. 47, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 47, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
03	Parallel St 75 th St	75 th St	Stop
03	Wortham Way 75 th St	75 th St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by Councillor Sanders in memory of Norma Bradway

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Norma Bradway. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:40 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 21st day of June, 2004.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

(SEAL)

Clerk of the Council